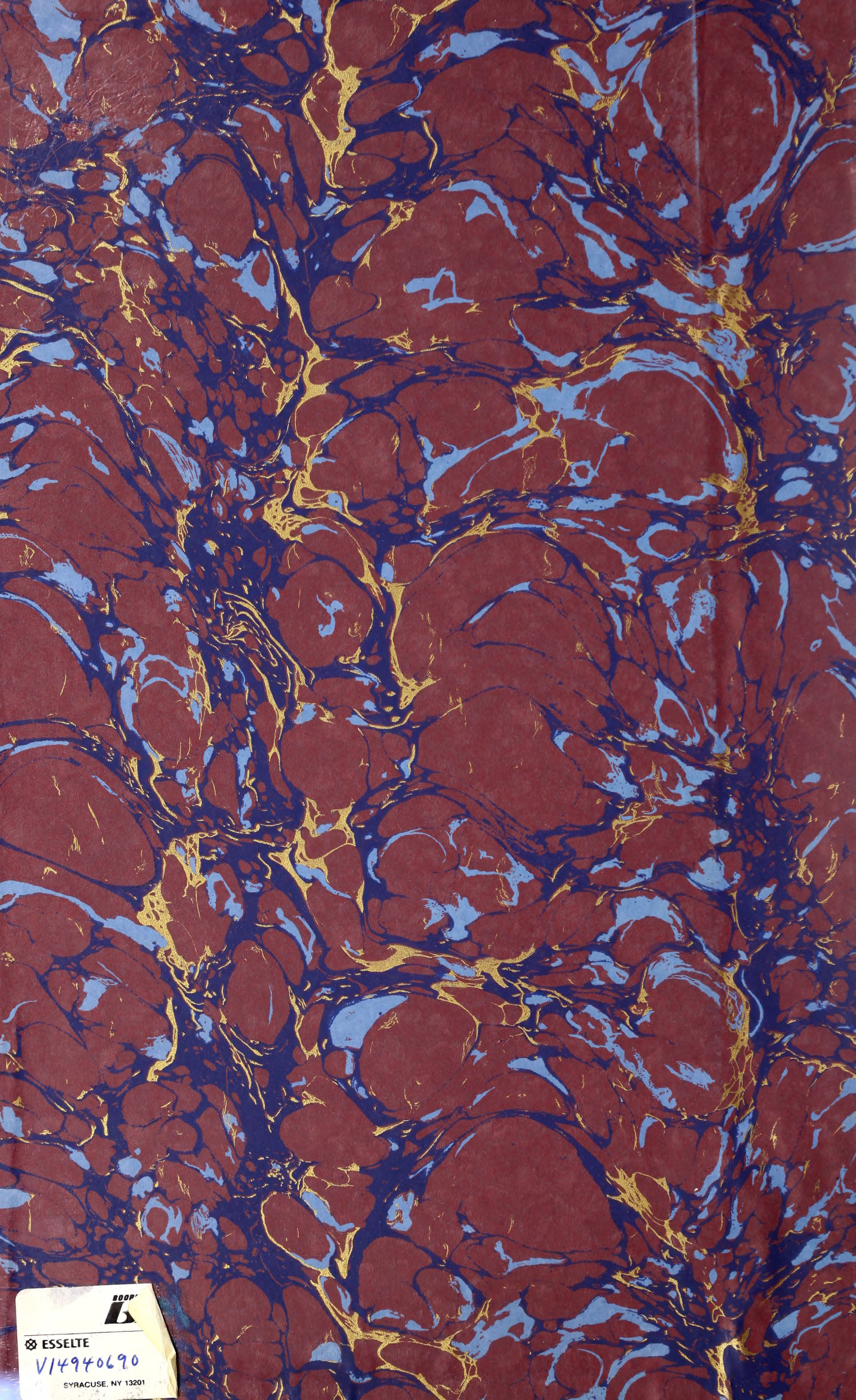

BOO
ESSELTE
V14940690
SYRACUSE, NY 13201

H1 81-334-8
6-28-95

STREET LIGHT RESOLUTION

NUMBER 243-95

(B.L. #50022)

GREENFIELD EXTENDED STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Greenfield Extended, hereby deems it necessary to install an underground ornamental street light system in Greenfield Extended; more specifically defined as; Greenfield Extended Section 1 Lots 1 thru 14; Section 2 Lots 15 thru 31; Section 3 Lots 32 thru 54, all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

A maximum of sixty percent (60%) of installation costs shall be assessed upon real estate abutting the above described streets. The balance of the project cost shall be assessed upon the City of Fort Wayne, Indiana, and to be paid by 1995 C.E.D.I.T. Funds. Assessments, if deferred, are to be paid in ten (10) equal installments, with interest at seven percent (7%) per annum and shall be financed by the Barrett Law Revolving Improvement Fund, as provided for in the Indiana Statutes. All proceedings and any work done in said lighting assessment of property and collection of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk - Chairman

James Owen
C. James Owen - Member

Terrance P. McCaffrey
Terrance P. McCaffrey - Member

ATTEST:

Patricia J. Crick
Patricia J. Crick - Clerk

Dated This 28th Day of June 1995

HI 81-334-7
6-28-95

STREET LIGHT RESOLUTION

NUMBER 242-95

(W.O. #51002)

COLISEUM SOUTH STREET LIGHT IMPROVEMENT

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, that it is deemed necessary to install an underground street light system on Coliseum South; more specifically defined as Coliseum South beginning at a point ± 320 feet north of the north right of way of McCormick Avenue in a southern direction to the south right of way of Pontiac Street, all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

The cost of said improvement shall be 100% funded by the 1995 U.E.A. Funds, as provided for in the Indiana Statutes. All proceedings and any work done in said lighting assessment of property and collection of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk - Chairman

James Owen
C. James Owen - Member

Terrance P McCaffrey
Terrance P. McCaffrey - Member

ATTEST:

Patricia J. Crick
Patricia J. Crick - Clerk

Dated This 28th Day of June 1995

H1 81-332-4
6-21-95

RESOLUTION #533-95

RECKEWEG RD./PALATINE DR. DRAINAGE IMPROVEMENT

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

RECKEWEG RD. from PALATINE DR. to REGELANE DR.

Installation of 900± of 15" storm sewer, 625± LF of 12" storm sewer, 5 manholes, 5 inlets, 1000 ± LF of road side ditching, complete restoration and seeding.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by **Stormwater Utility** funds of the City of Fort Wayne.

ADOPTED this 21 day of JUNE, 1995.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-332-3
6-21-95

RESOLUTION #532-95

CONCORDIA GARDENS STORM DRAINAGE IMPROVEMENT
PHASE I

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

> **RIVERTON DRIVE: From the cul-de-sac to Garden Park Drive**
> **Installation of 1100± LF of 36" storm sewer, 350± LF of 12" storm sewer, 3-manholes, 10-inlets, 1200± LF of side ditching, complete restoration and seeding.**

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by **Stormwater Utility** funds of the City of Fort Wayne.

ADOPTED this 21 day of JUNE, 1995.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

____
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-332-2
6-21-95

RESOLUTION #530-1995

ALLENDALE PLACE STORM DRAINAGE IMPROVEMENT
PHASE II

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

> **5800 Block of Kimberly Drive**
>
> **Installation of 230 ± LF of 15" storm sewer, 2 manholes, 1 backflow prevention device, 40 ± SY of grouted rip-rap, complete restoration and seeding.**

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by **Stormwater Utility** funds of the City of Fort Wayne.

ADOPTED this 21 day of JUNE, 1995.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-329-6
7-21-95

STREET LIGHT RESOLUTION

NUMBER 241-95

(B.L. #50021)

CENTERHURST STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Centerhurst, hereby deems it necessary to install an underground ornamental street light system in Centerhurst Addition; more specifically defined as; Centerhurst Addition Section 1 - Lots 2, 3, 7, & 8: Section 2 - Lots 14 thru 34: Section 3 - Lots 1 thru 49: Section 4 - Lots 50 thru 60, Lots 65 thru 99 and Utility Block "A", all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

A maximum of sixty percent (60%) of installation costs shall be assessed upon real estate abutting the above described streets. The balance of the project cost shall be assessed upon the City of Fort Wayne, Indiana, and to be paid by 1995 C.E.D.I.T. Funds. Assessments, if deferred, are to be paid in ten (10) equal installments, with interest at seven percent (7%) per annum and shall be financed by the Barrett Law Revolving Improvement Fund, as provided for in the Indiana Statutes. All proceedings and any work done in said lighting assessment of property and collection of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk - Chairman

James Owen
C. James Owen - Member

Terrance P. McCafffrey - Member

ATTEST:

Patricia J. Crick
Patricia J. Crick, Clerk

Dated This 21 Day of June 1995

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H/ 81-335-9
6-28-95

EMERGENCY RESOLUTION NO. 81-335-9

WHEREAS, pavement blow-ups occurred at the following locations:

1) 4825 Coldwater Road
2) 5811 Coldwater Road
3) 6500 N. Clinton Street
4) 6019 Illinois Road

WHEREAS, an Emergency exists for immediate repair; and

WHEREAS, Street Engineering received invitational bids for said repair; Tomco Construction Co. was the lowest bidder. See attached bid tabulation.

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to repair said pavement immediately and requests the Purchasing Department to issue a purchase order to Tomco Construction Co., Inc. in the amount of $12,782.20

Adopted, this 28 day of JUNE, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

HI 81-326-10
B 6-14-95

RESOLUTION NO. 81-326-10

WHEREAS, the Board of Public Works adopted improvement Resolution No. 526-1994 for the construction of the St. Joe Center Road Relief Sewer; and,

WHEREAS, along the route of the St. Joe Center Road Relief Sewer there are nine (9) unsewered homes; and,

WHEREAS, seven (7) property owners of the nine (9) unsewered homes have signed petitions (B.O. 81-95 & 84-95) requesting to have a sanitary sewer extended to their property and to use the Barrett Law procedures for extended financing of the assessment; and,

WHEREAS, the St. Joe Center Road Relief Sewer Project has been advertised for bid and following the Barrett Law procedures would delay the project a considerable amount of time which would prevent proper surface restoration until the spring or summer of 1996; and,

WHEREAS, Fort Wayne Water Pollution Control Utility desires to provide sanitary sewer service to all of the unsewered homes along the route of the St. Joe Center Road Relief Sewer as the majority of the property owners requested; and

WHEREAS, Fort Wayne Water Pollution Control Utility has the authority for the regulation, collection and refunding of rates and charges for sewer service as stated in the general rules and regulations as amended August, 1994 Section 3.M.,N.,O.,P.;

NOW, THEREFORE, the Board of Public Works resolves to provide to the unsewered homes, along the route of the St. Joe Center road, similar financing procedures as the current Barrett Law conditions allow for extended financing, (in particular 10 year period, 7% simple interest, one (1) payment per year, maximum assessment for local sewer $4,000.00) with the exception that the property owner shall sign a mortgage agreement instead of the Barrett Law form.

Approved this 14 day of JUNE, 1995.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By James Owen
C. James Owen, Member

By Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

BID TABULATION

PRO JECT EMERGENCY PAVEMENT REPAIR
4825 COLDWATER RD /6019 ILLINOIS
6500 N CLINTON/5811 COLDWATER RD
DATE: 6-23-95

WO. NO. 11207
B.O. NO.:

ITEM NO.	ITEM	PLAN QUANITY	UNIT	UNIT COST ($)	AMOUNT ($)	BIDDER: TOMCO CONST. CO. UNIT COST ($)	AMOUNT ($)	BIDDER: G.E. MINEAR UNIT COST ($)	AMOUNT ($)	BIDDER: MERGY CONST. CO. UNIT COST ($)	AMOUNT ($)	BIDDER: MOELLERING CONST. CO. UNIT COST ($)	AMOUNT ($)	BIDDER: BROOKS CONST.CO UNIT COST ($)	AMOUNT ($)	BIDDER: WIDNER PAVING INC. UNIT COST ($)	AMOUNT ($)	BIDDER: PIONEER ASSOC,INC. UNIT COST ($)	AMOUNT ($)
1.	9" Concrete Pavement Removal & Replacement W/ 7 Bag Mix & Plasticizer	192	SY	58.00	11136.00	45.25	8688.00	47.00	9024.00	54.00	10368.00	65.00	12480.00	60.00	11520.00	70.00	13440.00	85.00	16320.00
2.	Anchor Bolts (J-Type)	44	EA	10.00	440.00	6.50	286.00	8.00	352.00	6.00	264.00	10.00	440.00	9.00	396.00	5.00	220.00	10.00	440.00
3.	Maintenance of Traffice incl. all signing & barricade	1	LS	5000.00	5000.00	320.00	320.00	350.00	350.00	2200.00	2200.00	500.00	500.00	2525.00	2525.00	1000.00	1000.00	3000.00	3000.00
4.	#73 or #53 Stone Compacted Aggregate Type "O" for shoulder and Subbase	35	TON	10.00	350.00	8.50	297.50	10.00	350.00	10.00	350.00	10.00	350.00	20.00	700.00	12.00	420.00	25.00	875.00
5.	Arrow Board	9	EA	100.00	900.00	122.30	1100.70	90.00	810.00	85.00	765.00	150.00	1350.00	70.00	630.00	350.00	3150.00	200.00	1800.00
6.	6'x20' Loop with 3 turns series with other loop	1	EA	500.00	500.00	1640.00	1640.00	1700.00	1700.00	750.00	750.00	1800.00	1800.00	1550.00	1550.00	1750.00	1750.00	750.00	750.00
7.	6" Concrete Center Curb	18	LF	40.00	720.00	25.00	450.00	21.00	378.00	50.00	900.00	25.00	450.00	42.00	756.00	80.00	1440.00	125.00	2250.00
				TOTAL:	$19,046.00	TOTAL:	$12,782.20	TOTAL:	$12,964.00	TOTAL:	$15,597.00	TOTAL:	$17,370.00	TOTAL:	$18,077.00	TOTAL:	$21,420.00	TOTAL:	$25,435.00
						% over	0.00%	% over	0.00%	% over	0.00%	% over	0.00%	% over	0.00%	% over	12.46%	% over	33.55%
						% under	32.89%	% under	31.93%	% under	18.11%	% under	8.80%	% under	5.09%	% under	0.00%	% under	0.00%

HI 81-326-9
6-14-95

IMPROVEMENT RESOLUTION NO. 6392-95
KENTUCKY AVENUE: NEVADA AVE. TO DELAWARE AVE.
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

KENTUCKY AVENUE FROM NEVADA AVENUE TO DELAWARE AVENUE (WEST SIDE ONLY) BY RECONSTRUCTION OF SIDEWALKS, DRIVE APPROACHES, ALLEY APPROACHES, YARDWALKS, CONCRETE CURB RAMPS AND MULCHED SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 14 day of JUNE, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

Terrance P McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-326-8
6-14-95

IMPROVEMENT RESOLUTION NO. 6358-94 (AMENDED)
TOWER HEIGHTS ADDITION CONCRETE REPAIRS
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CHOCHTIMAR TRAIL - LINDENWOOD AVENUE TO TRENTON COURT - PARTIAL CONCRETE PAVEMENT RESTORATION (100% CITY COST)

2810 COVENTRY AVENUE - PARTIAL CURB RECONSTRUCTION

2809 COVENTRY AVENUE - PARTIAL CURB RECONSTRUCTION

(50% CITY COST / 50% PROPERTY OWNERS' COST)

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 50% on the real estate abutting on said improvements (2810 & 2809 COVENTRY AVENUE) and 50% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 14 **day of** JUNE **, 19**95.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

H1 81-322-28
6-7-95

SEWER EASEMENT RESOLUTION NO. 216-1995

For the Condemnation of Permanent Easement
St. Joe Center Road Relief Sewer

For the condemnation of permanent easement for the purpose of constructing, operating, controlling and maintaining a sanitary sewer line along and across a portion of the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East, Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent easement to facilitate the construction, operation, control and maintenance of a sanitary sewer line along and across the following described real property in the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East, in particular described as follows, to wit:

1.) Real estate now or formerly owned by Charles N. Hall described by Document #90-043767 in the Office of the Recorder of Allen County, Indiana.

Permanent Easement

A permanent sanitary sewer easement across a part of the Richardville Reserve on the right bank of the St. Joseph River in Township 31 North, Range 13 East, in Allen County, Indiana; in particular described as follows to-wit:

To arrive at a place of beginning, at a point situated on the South line of the part and parcel of land aforesaid, commence on the South line of said Reserve, at a point situated 2812.05 feet East of the Northwest Corner of the Fractional Section 19, in Township 31 North, Range 13 East, and 21 feet West of the point of intersection of said Reserve line by the Southeasterly right-of-way line of the former fort Wayne & Wabash Valley Traction Company; thence run northeastward, by a deflection to the left of the eastward direction of said Reserve line, of 40° 11', a distance of 195.3 feet, to a point on the center line of public highway known as St. Joseph Center Road; thence continuing Northeastward on the said road center line, by a deflection left of 6° 09', a distance of 459.9 feet; thence continuing along the said road center line, on a circular curve right, of which the subtending chord extends Northeastward, by a deflection right, of 14° 25', a distance of 128.2 feet to the PLACE OF BEGINNING of said permanent easement, at a point on the South line of the part and parcel of land initially referred to, and as situated on the center line of the said St. Joseph Center Road; thence Northeasterly on said center line being a curve to the right (chord bearing from a railroad spike found at the point of beginning to a railroad spike found at the Southeasterly corner of this tract = North 85° 17' 10" East) a distance of 90.36 feet; thence North 72° 06' 33" West a distance of 50.41 feet; thence North 86° 39' 00" West a distance of 72.20 feet to Owner's Westerly boundary; thence South 43° 56' 10" West along Owner's Westerly boundary a distance of 43.11 feet to the Owner's Southwesterly corner; thence North 85° 17' 10" East a distance of 61.0 feet deed (North 86° 15' 56" East 60.03' measured) along Owner's Southerly boundary to the point of beginning. Containing 0.061 acres (2,657 square feet), more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

H1 81-322-27
6-7-95

SEWER EASEMENT RESOLUTION NO. 215-1995

For the Condemnation of Permanent Easement
St. Joe Center Road Relief Sewer

For the condemnation of permanent easement for the purpose of constructing, operating, controlling and maintaining a sanitary sewer line along and across a portion of the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East, Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent easement to facilitate the construction, operation, control and maintenance of a sanitary sewer line along and across the following described real property in the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East, in particular described as follows, to wit:

1.) Real estate now or formerly owned by Cathie Lynn Rowand described by Document #87-047602 in the Office of the Recorder of Allen County, Indiana.

Permanent Easement

A permanent sanitary sewer easement being al that part of a 0.456 acre tract of land as described in Instrument Number 87-047602 in the Office of the Recorder of Allen County, Indiana, lying northerly and northeasterly of the following described line:

A part and parcel of land in Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East, in particular described as follows: to-wit:

To arrive at the point of beginning at the Northwest corner of the said part and parcel of land: Commence on the South line of said Reserve at a point situated 2812.05 feet East of the Northwest corner of the Fractional Section 19, in Township 31 North, Range 13 East, and 21 feet West of the point of intersection of said Reserve line by the Southeasterly right-of-way line of the former Fort Wayne & Wabash Valley Traction Company; thence run Northeastward, by a deflection to the left of the Eastward direction of said Reserve line, of 40° 11' a distance of 195.3 feet to a point on the center line of the public highway known as St. Joseph Center Road; thence continuing Northeastward on the said road center line, by a deflection left of 6° 09', a distance of 459.9 feet; thence continuing along said road center line on a circular curve right, of which the subtending chord extends Northeastward, by a deflection right of 14° 25', a distance of 128.2 feet; thence Northeasterly along the center of said road (chord bearing from railroad a spike found at the Northwest corner of Owner's land to a railroad spike found at a point 25' Northwestward from the West end of bridge = North 85° 17' 10" East) a distance of 38.60 feet to the POINT OF BEGINNING of this easement description; thence South 71° 59' 00" East a distance of 121 feet more or less to the westerly low water mark of the St. Joseph River, being the Easterly line of said 0.456 acre tract. Containing 0.063 acres (2,744 square feet), more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

All as shown by a plan of such proposed Condemnation of right-of-way for utility purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right-of-way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right-of-way for sewer easement and utility purposes is described as follows:

Owner	**Property Description**
1.) Charles N. Hall	Part of the Richardville Reserve on the right bank of the St. Joseph River in Township 31 North Range 13 East per Document #90-043767.

All according to the method and manner provided for in an Act of General Assembly of the State of Indiana, as approved in 1980; more particularly I.C. 32-11-1.5-1 to 13; and the provisions of all acts amendatory and supplemental thereof.

All land affected lies within the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East, Allen County, Indiana.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By
C. James Owen, Member

By Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

All as shown by a plan of such proposed condemnation of easement and right-of-way for utility purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right-of-way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right-of-way for sewer easement and utility purposes is described as follows:

Owner	**Property Description**
1.) Cathie Lynn Rowand	Part of the Richardville Reserve on the right bank of the St. Joseph River in Township 31 North, Range 13 East as per Document #87-047602.

All according to the method and manner provided for in an Act of General Assembly of the State of Indiana, as approved in 1980; more particularly I.C. 32-11-1.5-1 to 13; and the provisions of all acts amendatory and supplemental thereof.

All land affected lies within the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By
C. James Owen, Member

By
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

H1 81-321-26
6-7-95

SEWER EASEMENT RESOLUTION NO. 214-1995

For the Condemnation of Permanent Easement
St. Joe Center Road Relief Sewer

For the condemnation of permanent easement for the purpose of constructing, operating, controlling and maintaining a sanitary sewer line along and across a portion of Lots #1 & 2 Parker Homestead Addition as recorded in Plat Book 12 Page 102 in the Office of the Recorder of Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent easement to facilitate the construction, operation, control and maintenance of a sanitary sewer line along and across the following described real property in the Northeast Quarter of Section 19 Township 31 North Range 13 East, Allen County, Indiana; more particularly described as follows:

1.) Real estate now or formerly owned by the following parties; McDonald's Corporation, a Delaware corporation; Liddell Investments Limited, an Indiana Limited Partnership; Hall Drive-Ins, Inc., an Indiana Corporation; Richard J. and Deanna K. Freeland; Summit Bank (NBD Bank), an Indiana banking Institution; Taco Bell Corp., a California corporation; described as parts of Lots #1 and 2 in Parker Homestead Addition as recorded in Plat Book 12 Page 102 in the Office of the Recorder of Allen County, Indiana and more particularly described by Document #90-018644 Recorded in the office of the Recorder of Allen County, Indiana.

Permanent Easement

A permanent sanitary sewer easement located in the northeast quarter of Section 19, Township 31 North, Range 13 East in St. Joseph Township, Allen County, Indiana, said part being more particularly described as follows:

Commencing at the northwest corner of Lot 1 in Parker Homestead Addition as per plat thereof recorded in Plat Book 8, Pages 76-77, in the Office of the Recorder of Allen County, Indiana, and being South 89° 26' 23" West (assumed bearing) along the north line of said quarter section a distance of 456.72 feet from a P.K. Nail marking the northeast corner of said quarter section; thence South 00° 30' 38" East along the west line of Lot 1 and Lot 2 a distance of 244.70 feet to the POINT OF BEGINNING of this easement description; thence northeasterly around the arc of a non-tangent curve to the left having a radius of 15.73 feet, a central angle of 44° 55' 23" and a chord bearing of North 46° 56' 36" East a distance of 12.33 feet (12.02' chord); thence North 21° 43' 23" East a distance of 16.75 feet; thence South 00° 30' 38" East a distance of 68.89 feet; thence South 89° 29' 22" West a distance of 15.20 feet to the west line of said Lot 2; thence North 00° 30' 38" West along the west line of said Lots 2 and 1 a distance of 45.26 feet to the point of beginning. Containing 0.019 acres (828 square feet) more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

All as shown by a plan of such proposed Condemnation of easement and right-of-way for utility purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana.

8-10-94

BOARD OF PUBLIC WORKS
BOARD OF DIRECTORS OF THE DEPARTMENT OF
STORMWATER MANAGEMENT

CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-120-3

RE: APPROVING AND RECOMMENDING TO THE COMMON COUNCIL OF THE CITY OF FORT WAYNE JUST AND REASONABLE RATES AND CHARGES FOR STORMWATER SERVICES.

WHEREAS, the Common Council of the City of Fort Wayne passed Ordinance G-17-91 and Amended Ordinance G-25-91 establishing an interim stormwater service charge for users of the Fort Wayne Stormwater Utility in 1991; and

WHEREAS, that schedule of interim Stormwater Service Charges, which is still in effect, was based on broad land-use classification of users, approximating the average impervious stormwater runoff contributed by each classification; and

WHEREAS, at the time of passage of Ordinance G-17-91 and Amended Ordinance G-25-91, the Common Council requested City Utilities staff to undertake a cost of service and rate study in order to more accurately assess stormwater service charges to individual users in a more equitable manner than currently adopted in the interim rate; and

WHEREAS, Woolpert Consultants along with David M. Griffith and Associates, Inc. and Strand and Associates, Inc. (Stormwater Consultants) were hired to assist City Utilities in performing the necessary cost of service and rate study analysis in order to implement a more equitable stormwater billing system; and

WHEREAS, Common Council representatives, Board of Public Works members, City Utilities and Civil City staff, along with the Stormwater Consultants were gathered to form a Stormwater Management Task Force to consider all issues involved in arriving at an acceptable stormwater management rate structure, which task force met on a regular basis from July, 1992 through July, 1993; and

WHEREAS, the work of the task force and consultants was presented to the Common Council in September, 1993; and

WHEREAS, the work of the Stormwater Consultants and the Stormwater Management Task Force was completed in July of 1994; and

WHEREAS, the Stormwater Management Task Force, in conjunction with the Stormwater Consultants and City Utilities Staff recommend a monthly stormwater rate of $1.94 per Equivalent Residential Units (ERU). Further, it is recommended that one (10 ERU equal 2,500 sq. ft. Be it further recommended that each residential property be assigned one (1) ERU with all non-residential property being assigned one (1) or more ERUs based on that property's amount of measured impervious service, and that all properties be billed a monthly Stormwater Service Charge accordingly.

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors **of Stormwater Management:**

1. That the Board approves the following fee structure:

The cost of said Condemnation of right-of-way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right-of-way for sewer easement and utility purposes is described as follows:

	Owner's	**Property Description**
1.)	McDonald's Corporation, a Delaware Corporation Liddell Investments Limited, an Indiana Limited Partnership Hall Drive-Ins, Inc., an Indiana Corporation Richard J. Freeland and Deanna K. Freeland Summit Bank, (NBD Bank) an Indiana banking institution Taco Bell Corp., a California Corporation	Parts of Lots 1 & 2 Parker Homestead Addition per Doc. #90-18644

All according to the method and manner provided for in an Act of General Assembly of the State of Indiana, as approved in 1980; more particularly I.C. 32-11-1.5-1 to 13; and the provisions of all acts amendatory and supplemental thereof.

All land affected lies within the northeast One Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By
C. James Owen, Member

By Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

a. That a monthly rate of $1.94 per ERU be approved.

b. That one (1) ERU equal 2,500 sq. ft.

c. That each residential property be assigned one (1) ERU such that each residential property will be billed $1.94 per month as its Stormwater Service Charge.

d. That each non-residential property be assigned a number of ERUs based on its measured impervious surface, and that each such property be billed $1.94 per monthly ERU of impervious space.

e. That a system of credits be implemented whereby non-residential properties could offset a portion of the monthly Stormwater Service Charge for various forms and levels of stormwater abatement.

2. That the Board recommends to Common Council the fee structure set out in number 1. above.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-321-25
6-7-95

SEWER EASEMENT RESOLUTION NO. 213-1995

For the Condemnation of Permanent Easement
St. Joe Center Road Relief Sewer

For the condemnation of permanent easements for the purpose of constructing, operating, controlling and maintaining a sanitary sewer line along and across a portion of Lot #1 Parker Homestead Addition as recorded in Plat Book 12 Page 102 in the Office of the Recorder of Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent easement to facilitate the construction, operation, control and maintenance of a sanitary sewer line along and across the following described real property in the Northeast One Quarter of Section 19 Township 31 North Range 13 East, Allen County, Indiana; more particularly described as follows:

1.) Real estate now or formerly owned by H.S. Liddell Jr., described as parts of Lots #1 and 2 in Parker Homestead Addition as recorded in Plat Book 12 Page 102 in the Office of the Recorder of Allen County, Indiana and more particularly described by Document #84-000970 recorded in the Office of the Recorder of Allen County, Indiana.

Permanent Easement

A permanent sanitary sewer easement being twenty-five feet (25') off the entire west side of the following described tract of land:

Part of Lot 1 in Parker Homestead Addition to the City of Fort Wayne, Allen County, Indiana, more particularly described as follows: COMMENCING at the Northwest corner of Lot 1 in said Parker Homestead Addition; thence along the West line of Lot 1 in said Addition South 0° 17' 02" West (assumed bearing) a distance of 60.0 feet to the Southerly right-of-way line of St. Joe Center Road as described in Deed Record 591, Pages 580-581, Allen County Recorder's Office to the point of beginning. BEGINNING at the above described point; thence South 89° 45' 58" East along said South right-of-way line a distance of 55.56 feet; thence on a curve to the right having a radius of 51.06 feet an arc length of 5.03 feet (chord bearing South 35° 52' 07" East) a chord distance of 5.02 feet to a point of common curvature; thence on a curve to the right having a radius of 49.56 feet an arc length of 48.0 feet (chord bearing South 4° 03' 50" East) a chord distance of 46.14 feet; thence South 20° 51' 39" West a distance of 30.11 feet; thence South 22° 47' 43" West a distance of 9.99 feet; thence South 24° 03' 21" West a distance of 80.45 feet; thence South 22° 31' 02" West a distance of 16.75 feet; thence on a curve to the right having a radius of 15.73 feet an arc length of 12.33 feet (chord bearing South 47° 44' 16" West) a chord distance of 12.02 feet; thence North 0° 17' 02" East a distance of 184.69 feet to the point of beginning, containing 0.179 acre (7,782 square feet) more or less and subject to all pertinent easements of record. Containing in said permanent easement 0.095 acres (4,138 square feet), more or less.

Also, a temporary construction easement encompassing all of the real estate described above.

All as shown by a plan of such proposed Condemnation of easement and right-of-way for utility purposes as above described, now on

H1 81-320-17
6-7-95

IMPROVEMENT RESOLUTION NO. 6390-95
FREEMAN STREET: TAYLOR STREET TO JEFFERSON BLVD.

H1 81-320-18
6-7-95

IMPROVEMENT RESOLUTION NO. 6391-95
TECUMSEH STREET: TENNESSEE AVE. TO DELAWARE AVE.
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

TECUMSEH STREET FROM TENNESSEE AVENUE TO DELAWARE AVENUE BY ASPHALT MILLING EXISTING PAVEMENT, RESURFACING, RECONSTRUCTION OF CONCRETE CURBS, DRIVEWAY APPROACHES, ALLEY APPROACHES, CURB RAMPS, REHABILITATION OF STORM SEWER STRUCTURES AND SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 50% on the real estate abutting on said improvements as above described and 50% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 7 day of JUNE, 1995

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

Terrance P McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right-of-way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Condemnation of right-of-way for sewer easement and utility purposes is described as follows:

Owner	**Property Description**
1.) H. S. Liddell, Jr.	Part of Lot #1 Parker Homestead Addition per Doc. #84-000970.

All according to the method and manner provided for in an Act of General Assembly of the State of Indiana, as approved in 1980; more particularly I.C. 32-11-1.5-1 to 13; and the provisions of all acts amendatory and supplemental thereof.

All land affected lies within the Northeast One Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana.

All temporary easements shall expire one (1) year after the date of adoption.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By
C. James Owen, Member

By Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

#1 81-320-17
6-7-95

IMPROVEMENT RESOLUTION NO. 6390-95
FREEMAN STREET: TAYLOR STREET TO JEFFERSON BLVD.
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

FREEMAN STREET FROM TAYLOR STREET TO JEFFERSON BOULEVARD

PROPOSED IMPROVEMENTS INCLUDE: PARTIAL PAVEMENT RECONSTRUCTION, WEDGING & LEVELING, RESURFACING; ROADWAY SHOULDER AND STORM SEWER SYSTEM REHABILITATION; SECTIONS OF NEW CURBS; TRAFFIC CONTROL UPGRADES, CURB RAMPS AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 7 day of JUNE, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

HI 81-318-8
6-7-95

RESOLUTION
FOR
BOARD OF PUBLIC WORKS

WHEREAS, Oxford Community Association, Inc., has previously been a lessee of certain real estate owned by the City of Fort Wayne, which real estate is described as Lot Number 82 in Kryder's Addition Extended (Key # 93-3220-5082) to the City of Fort Wayne, Indiana, commonly known as 1421 Oxford Street and

WHEREAS, said Community Association has faithfully performed the conditions of the lease, and

WHEREAS, said Community Association has expressed an interest in receiving the real estate from the City to be used as a community association headquarters and to advance the purposes of the Community Association, and

WHEREAS, the Board of Public Works of the City of Fort Wayne has determined that the City of Fort Wayne has no present use for this property, and that future use by the city is unlikely,

NOW THEREFORE, BE IT RESOLVED that real estate described as follows: Lot Number 82 in Kryder's Addition Extended to the City of Fort Wayne, commonly known as 1421 Oxford Street which real estate is located in Allen County, Indiana, and is currently owned by the City of Fort Wayne, is not needed or necessary to the operations of the City of Fort Wayne.

BE IT FURTHER RESOLVED that, in recognition of the community services of the Oxford Community Association, Inc., that the City of Fort Wayne, subject to the approval of the Common Council of the City of Fort Wayne, does hereby donate said real estate to the Oxford Community Association, Inc., and

BE IS FURTHER RESOLVED that the proper officials of the City of Fort Wayne, upon due passage of a resolution by the Common Council of the City of Fort Wayne be authorized to execute and deliver to the Oxford Community Association, Inc., the City's Deed for Lot Number 82 inKryders's Addition Extended to the City of Fort Wayne, Indiana, commonly known as 1421 Oxford Street, Fort Wayne, Allen County, Indiana.

H1 81-318-7
6-7-95

RESOLUTION
FOR
BOARD OF PUBLIC WORKS

WHEREAS, East Wayne Street Center, Inc., has an interest in certain real estate owned by the City of Fort Wayne, which real estate is described as East part NE Corner of Lot 364 in Samuel L. Hanna Addition (Key # 91-2948-5932) to the City of Fort Wayne, Indiana, commonly known as 818 Francis Street, and

WHEREAS, said Community Association has expressed an interest in receiving the real estate from the City to be used as part of a community association headquarters and to advance the purposes of the Community Association, and

WHEREAS, the Board of Public Works of the City of Fort Wayne has determined that the City of Fort Wayne has no present use for this property, and that future use by the city is unlikely,

NOW THEREFORE, BE IT RESOLVED that real estate described as follows: East Part NE Corner of Lot Number 364 in Samuel L. Hanna Addition to the City of Fort Wayne, commonly known as 818 Francis Street, which real estate is located in Allen County, Indiana, and is currently owned by the City of Fort Wayne, is not needed or necessary to the operations of the City of Fort Wayne.

BE IT FURTHER RESOLVED that, in recognition of the community services of the East Wayne Street Center, Inc., that the City of Fort Wayne, subject to the approval of the Common Council of the City of Fort Wayne, does hereby donate said real estate to the East Wayne Street Center, Inc., and

BE IS FURTHER RESOLVED that the proper officials of the City of Fort Wayne, upon due passage of a resolution by the Common Council of the City of Fort Wayne be authorized to execute and deliver to the East Wayne Street Center, Inc., the City's Deed for East Part NE Corner of Lot Number 364 in Samuel L. Hanna Adiition to the City of Fort Wayne, Indiana, commonly known as 818 Francis Street, Fort Wayne, Allen County, Indiana.

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to donate the above-mentioned property.

Signed this 7 day of JUNE, 1995.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman of Board of Public Works

Jim Owen
C. James Owen, Board Member

Terrance P. McCaffery
Terrance P. McCaffery, Board Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Fort Wayne Board of Public Works

C:\WPWIN60\DATA\OXFORDRE.WPD

NOW, THEREFORE, The Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to donate the above-mentioned property.

Signed this 7 day of JUNE, 1995.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Chairman of Board of Public Works

Jim Owen

C. James Owen, Board Member

Terrance P. McCaffery

Terrance P. McCaffery, Board Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk
Fort Wayne Board of Public Works

C:\WPWIN60\DATA\WAYNERE1.WPD

Mary Morris,
President
428-7800
EXT. 2245

OXFORD NEIGHBORHOOD ASSOCIATION
1421 OXFORD STREET
FORT WAYNE IN 46806

1994 INCOME AND EXPENDITURE STATEMENT

BALANCE BROUGHT FORWARD: $2,579.38

INCOME:		
CRAFT AND BAKE SALE:	$326.78	
PROJECT 21:	$100.00	
WEED PROGRAM:	$5,943.10	
TENANT RENT:	$2,850.00	
FWNP RENT & UTILITIES:	$2,748.94	
MEMBERSHIP:	$100.00	
ELECTION RENTAL:	$45.00	
TEEN PRIDE:	$1,165.26	
SUBTOTAL:	$13,279.08	
TOTAL:		$15,858.46
EXPENDITURES:	$11,881.03	
BALANCE:		$3,977.43

DEPOSITS:

$2,012.66
228.00
1,038.00
1,137.93
180.00
573.00
743.00
335.00
2,039.87
1,156.27
100.00
70.50
941.50
1,018.00
1,705.35
$13,279.08

EAST WAYNE STREET CENTER

Print date
05-17-1995
15:43:48

Romar Systems (219)294-2552 -- Project SOLVE
1994 - 1995 FISCAL YEAR
MONTHLY BUDGET REPORT

Ed Elkins
422-6502

As of May 19, 1995

			YEARLY BUDGET
INCOME			
4002.01-Foellinger Foundation	Monthly budget of	3,166.66	38,000.00
4003.01-Interest Income			0.00
4004.01-Other Donations			0.00
4005.01-xx			0.00
4005.02-Indiana Department of Health			0.00
4006.03-Department of Corrections			0.00
4007.04-Three Rivers Literacy Allianc			0.00
			=============
			$38,000.00
TOTAL INCOME			$38,000.00
-------- EXPENSES ---------			
EXPENSE			
5100.01-SALARIES			0.00
5101.01-Administrator	Monthly budget of	416.67	5,000.06
5101.02-MHC - Administrator			0.00
5103.01-Van Driver	Monthly budget of	346.66	4,160.00
5103.03-xx			0.00
5104.01-Outreach	Monthly budget of	845.00	10,140.00
5105.01-Aides	Monthly budget of	156.00	1,872.00
5106.01-Child Care	Monthly budget of	234.00	2,808.00
5107.01-Clerical	Monthly budget of	650.00	7,800.00
5107.03-xx			0.00
5108.01-Teacher			0.00
5200.01-EMPLOYER EXPENSES			0.00
5210.01-Payroll Taxes	Monthly budget of	228.83	2,746.00
5211.02-MHC - Insurance			0.00
			=============
			$34,526.06
TOTAL EXPENSE			$34,526.06
PROGRAM EXPENSES			
6100.01-Program			0.00
6100.02-MHC - Expenses			0.00
6200.01-Office Supplies	Monthly budget of	52.08	625.00
6300.01-Transportation Expenses	Monthly budget of	108.33	1,300.00
6300.02-MHC - Travel			0.00
6300.04-3RLA - Transportation Exp.			0.00
6400.01-Miscellaneous			0.00
6500.01-College Fees/Training	Monthly budget of	125.00	1,500.00
6600.01-GED Exam			0.00
6700.01-Volunteer Recog/Graduation			0.00
			=============
			$3,425.00
TOTAL PROGRAM EXPENSES			$3,425.00
TOTAL BUDGETED EXPENSES			$37,951.06

Oxford Community Association
1421 Oxford Street
Fort Wayne, Indiana 46806

1995 PROJECTED INCOME AND EXPENDITURE STATEMENT

Projected Income:

Rent (Tenant)	$3,825.00
FWNHP Rent	3,000.00
FWNHP (Reimbursement for utilities)	3,000.00
Election Rental	90.00
Craft & Bake Sale	500.00
Individual Memberships	1,000.00
Business Memberships	200.00
Weed Program	200.00
Tire Program	100.00
Advertising	600.00
Create Teem Pride	200.00
Donations (Vacant Lot Upgrade)	1,000.00
Total	$ 13,715.00

Projected Expenditures $ 8,000.00

These expenses include the followings:

Utilities
Insurance
Pest Control
Newsletter
Maintenance/Repair
Upgrade of Vacant Lot
Association General Costs

Projected Balance: $ 5,715.00

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Print date          Romar Systems (219)294-2552 -- Program
05-17-1995                    1994 - 1995 FISCAL YEAR
15:48:11                      MONTHLY BUDGET REPORT

                                  As of May 5, 1995
        INCOME                                                                   YEARLY BUDGET
4001.01-North Indiana Conference       Monthly budget of      1,666.66                20,000.00
4002.01-Individual Gifts               Monthly budget of      2,933.33                35,200.00
4003.01-Church Gifts                   Monthly budget of      2,000.00                24,000.00
4004.01-Corporate Gifts                Monthly budget of        750.00                 9,000.00
4005.01-Civic Group Gifts              Monthly budget of        416.66                 5,000.00
4006.01-Thrift Shop                    Monthly budget of        141.66                 1,700.00
4008.01-Community Home Repair Rent     Monthly budget of        250.00                 3,000.00
4009.01-Women's Auxiliary                                                                  0.00
4011.01-Interest Income                Monthly budget of         41.66                   500.00
4012.01-Other Income                                                                       0.00
4014.01-FWCS-Rent for Head Start       Monthly budget of        525.00                 6,300.00
4016.02-Dedicated Funds                                                                    0.00
4017.01-3 Rivers Literacy Rent                                                             0.00
4020.01-Golf Tournament
       Nov =         0.00   Feb =         0.00  May =         0.00  Aug =         0.00
       Dec =         0.00   Mar =         0.00  Jun =         0.00  Sep =    20,000.00
       Jan =         0.00   Apr =         0.00  Jul =         0.00  Oct =         0.00      20,000.00
                                                                                    =============
                                                                                      $124,700.00

                 TOTAL INCOME                                                         $124,700.00

       -------- EXPENSES ---------
       PERSONNEL EXPENSES
       SALARIES
5100.01-SALARY EXPENSE                                                                     0.00
5101.01-Administrator                  Monthly budget of      2,333.33                28,000.00
5102.01-Receptionist/Bookkeeper
       Nov =     1,040.00   Feb =     1,040.00  May =     1,040.00  Aug =     1,140.00
       Dec =     1,040.00   Mar =     1,040.00  Jun =     1,040.00  Sep =     1,140.00
       Jan =     1,040.00   Apr =     1,040.00  Jul =     1,140.00  Oct =     1,140.00      12,880.00
5103.01-Custodian                      Monthly budget of        583.33                 7,000.00
5104.01-Neighborhood Worker            Monthly budget of        833.33                10,000.00
5105.01-Child Care                                                                         0.00
5106.01-Van Driver                                                                         0.00
                                                                                    =============
                                                                                       $57,880.00
       EMPLOYER EXPENSES
5200.01-EMPLOYER EXPENSES                                                                  0.00
5210.01-Payroll Taxes                  Monthly budget of        475.00                 5,700.00
5220.01-Insurance                      Monthly budget of        325.00                 3,900.00
                                                                                    =============
                                                                                        $9,600.00
       TRAVEL EXPENSES
5300.01-Travel Expenses                Monthly budget of        108.33                 1,300.00
5301.01-Mileage                        Monthly budget of         10.00                   120.00
                                                                                    =============
                                                                                        $1,420.00
       CONFERENCES/TRAINING
5400.01-Conferences/Training           Monthly budget of         41.66                   500.00
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SS-C02

STATE OF INDIANA
OFFICE OF THE SECRETARY OF STATE

To Whom These Presents Come, Greeting:

CERTIFICATE OF INCORPORATION

OXFORD COMMUNITY ASSOCIATION, INC.

I, LARRY A. CONRAD, Secretary of State of the State of Indiana, hereby certify that Articles of Incorporation of the above not-for-profit corporation, in the form prescribed by this Office, prepared and signed in duplicate by the Incorporator(s) and acknowledged and verified by the same before a Notary Public, have been presented to me at this office accompanied by the fees prescribed by law; that I have found such Articles conform to law; that I have endorsed my approval upon the duplicate copies of such Articles; that all fees have been paid as required by law; that one copy of such Articles has been filed in this office; and that the remaining copy(ies) of such Articles bearing the endorsement of my approval and filing has (have) been returned by me to the incorporator(s) or his (their) representatives; all as prescribed by the Indiana Not-For-Profit Corporation Act of 1971.

NOW, THEREFORE, I hereby issue to such Corporation this Certificate of Incorporation, and further certify that its corporate existance has begun.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 8th *day of* August *19* 77

Larry A Conrad
LARRY A. CONRAD, Secretary of State

By ______ *Deputy*

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                                     As of May 5, 1995
        PERSONNEL EXPENSES cont.                                                   YEARLY BUDGET
                                                                                   =============
                                                                                         $500.00

        TOTAL PERSONNEL EXPENSES                                                      $69,400.00

        OPERATING EXPENSES
6100.01-VEHICLE OPERATION                                                                   0.00
6101.01-Gas                        Monthly budget of       100.00                       1,200.00
6102.01-Repairs                    Monthly budget of       125.00                       1,500.00
6103.01-Vehicle Insurance          Monthly budget of       333.33                       4,000.00
6200.01-OFFICE SUPPLIES                                                                     0.00
6201.01-Postage                    Monthly budget of       150.00                       1,800.00
6202.01-Printing                   Monthly budget of       125.00                       1,500.00
6203.01-Office Supplies            Monthly budget of       208.33                       2,500.00
6204.01-Calendars
        Nov =        0.00  Feb =        0.00  May =        0.00  Aug =        0.00
        Dec =        0.00  Mar =        0.00  Jun =        0.00  Sep =        0.00
        Jan =        0.00  Apr =        0.00  Jul =        0.00  Oct =      600.00         600.00
6205.01-Bank Service Charges                                                                0.00
6206.01-Other                      Monthly budget of        16.66                         200.00
6300.01-UTILITIES                                                                           0.00
6301.01-Gas                        Monthly budget of       300.00                       3,600.00
6302.01-Water                      Monthly budget of        83.33                       1,000.00
6303.01-Electric                   Monthly budget of       300.00                       3,600.00
6304.01-Trash Removal              Monthly budget of        50.00                         600.00
6305.01-Telephone                  Monthly budget of       416.66                       5,000.00
6400.01-BUILDING                                                                            0.00
6401.01-Building Insurance         Monthly budget of       333.33                       4,000.00
6402.01-Repairs                    Monthly budget of        41.66                         500.00
6402.02-Bldg Repairs--dedicated funds                                                       0.00
6403.01-Maintenance                Monthly budget of       333.33                       4,000.00
6500.01-EQUIPMENT                                                                           0.00
6501.01-Maintenance                Monthly budget of        83.33                       1,000.00
6502.01-Purchases                  Monthly budget of        41.66                         500.00
6600.01-PROFESSIONAL FEES                                                                   0.00
6601.01-Audit
        Nov =        0.00  Feb =        0.00  May =        0.00  Aug =        0.00
        Dec =        0.00  Mar =        0.00  Jun =        0.00  Sep =        0.00
        Jan =    3,700.00  Apr =        0.00  Jul =        0.00  Oct =        0.00       3,700.00
6602.01-Accounting Services        Monthly budget of       162.50                       1,950.00
6700.01-MISCELLANEOUS              Monthly budget of        20.83                         250.00
                                                                                   =============
                                                                                      $43,000.00

        TOTAL OPERATING EXPENSES                                                      $43,000.00
```

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                              As of May 5, 1995
      PROGRAM EXPENSES                                                          YEARLY BUDGET
7100.01-EWSC - GENERAL                                                                   0.00
7101.01-Photography                 Monthly budget of        25.00                     300.00
7102.01-Volunteer/Staff Recognition
      Nov =        0.00  Feb =        10.00  May =        10.00  Aug =        10.00
      Dec =      300.00  Mar =        10.00  Jun =        10.00  Sep =        10.00
      Jan =       10.00  Apr =        10.00  Jul =        10.00  Oct =        10.00     400.00
7103.01-Magazine Suscriptions       Monthly budget of         4.16                      50.00
7104.01-EWSC Donations              Monthly budget of        50.00                     600.00
7105.01-Other                       Monthly budget of        41.66                     500.00
7106.01-Interest Expense            Monthly budget of        16.66                     200.00
7110.01-Discretionary Fund          Monthly budget of       229.16                   2,750.00
7111.01-Pick Up and Delivery        Monthly budget of        12.50                     150.00
                                                                                =============
                                                                                    $4,950.00


      TOTAL PROGRAM EXPENSES                                                        $4,950.00

     --SPECIAL PROGRAMS
8015.03-xx                                                                               0.00
                                                                                =============
                                                                                        $0.00


      TOTAL SPECIAL PROGRAMS                                                            $0.00


            TOTAL BUDGETED EXPENSES                                               $117,350.00
```

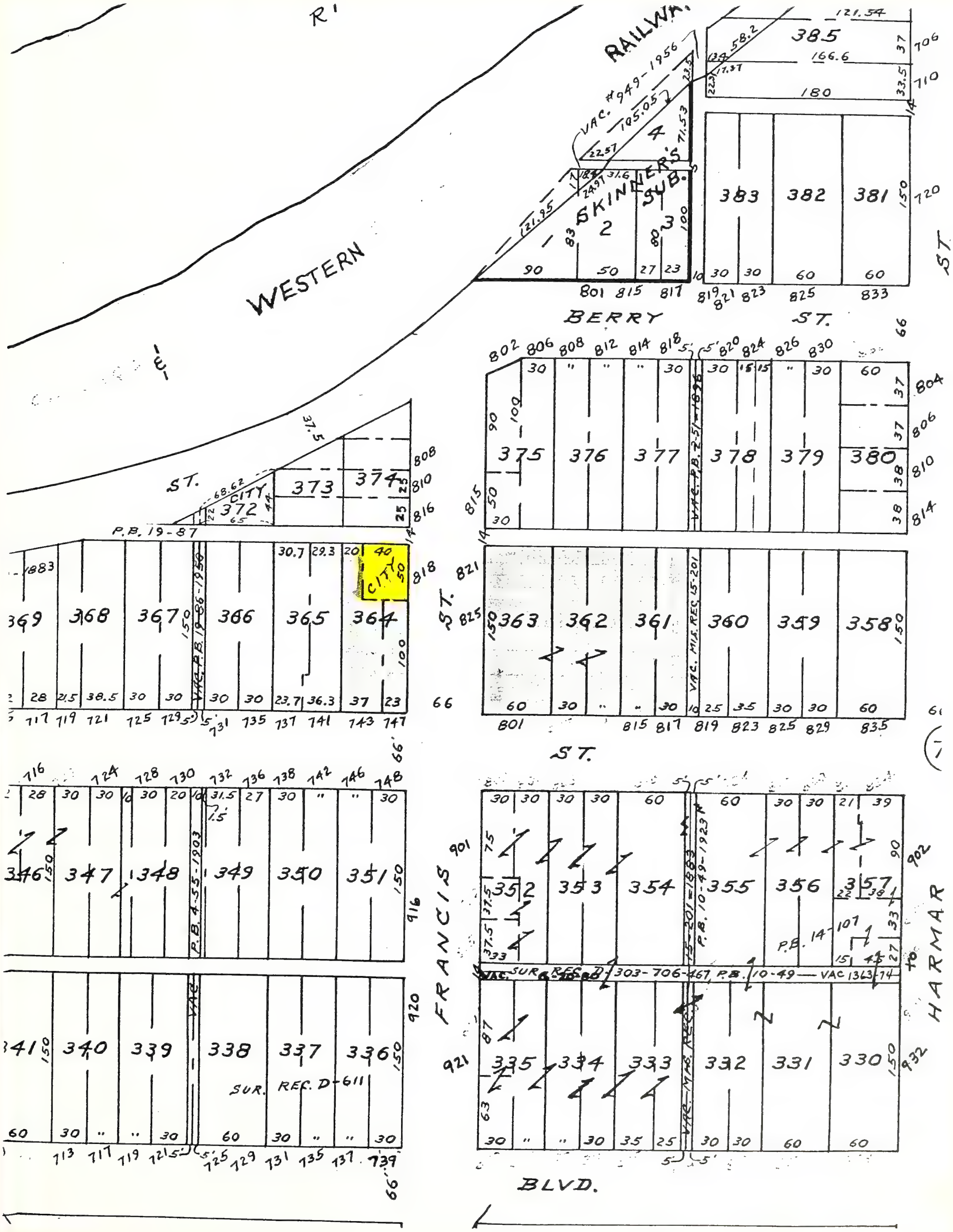
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RAILWA
SKINNER'S SUB.
VAC. #949-1956
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ST.
FRANCIS ST.
HARMAR ST.
BLVD.
P.B. 19-87
CITY
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VAC. P.B. 19-86-1950
VAC. P.B. 2-51-1896
VAC. MIS. REC. 15-201
P.B. 4-55-1903
P.B. 10-49-1923
VAC. SUR. REC. D-303-706-467, P.B. 10-49 — VAC 1363-74
VAC. MIS. REC.
SUR. REC. D-611
P.B. 14-107
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H1 81-313-7
5-31-95

IMPROVEMENT RESOLUTION NO. 6389-95
UNDERGROUND STORAGE TANK REMOVAL & SOIL-BIO REMEDIATION
(1994 PUBLIC SAFETY BOND)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

FOUR (4) SITES BY REMOVING, TRANSPORTING AND DISPOSING FUEL UNDERGROUND STORAGE TANKS AND CONTAMINATED SOILS.
ALSO, THE CONSTRUCTION OF SOIL-BIO REMEDIATION CELLS FOR TREATMENT OF FUEL CONTAMINATED SOIL FROM SITES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne 1994 PUBLIC SAFETY BOND Funds.

Adopted, this 31 day of MAY, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-309-21
5-24-95

The City of Fort Wayne
Paul Helmke, Mayor

BOARD OF PUBLIC WORKS
ONE MAIN STREET ROOM 920
FORT WAYNE, IN 46802

May 24, 1995

Barbara Carrow, Program Director
Division of Land Acquisition
Indiana Department of Transportation
100 N. Senate Ave., Room N755
Indianapolis, IN 46204-2249

SUBJECT: Assurances
PROJECT NUMBER: STP-F024 (4), Des. No. 9008295
LOCATION: Ardmore Avenue & Covington Road Intersection
Fort Wayne

In compliance with Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, the following assurance is made:

Where Federal Funds are involved in any project or program which results in real property acquisition or displacement, the City of Fort Wayne, Indiana will comply with said Act and Regulations effective April 2, 1989.

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

cc: David Ross, City Engineer
Max VanCamp, Street Engineering
Eli Samaan, Director of Transportation Planning

® GCIU 552M

HI 81-308-9
5-24-95

IMPROVEMENT RESOLUTION NO. 6375-95
SUB-AREA COMMERCIAL CAPITAL IMPROVEMENT PROJECT: 94D
900 BLOCK OF BROADWAY AND 600 BLOCK OF WAYNE ST.
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

900 BLOCK OF BROADWAY FROM WASHINGTON BLVD. TO WAYNE STREET
(EAST SIDE ONLY) AND
600 BLOCK OF WAYNE STREET FROM BROADWAY TO 145 LINEAL FEET EAST OF THE EAST CURB LINE OF BROADWAY (SOUTH SIDE ONLY)
CURBFACE SIDEWALK RECONSTRUCTION

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 24 day of MAY, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-306-19
5-17-95

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-306-95

RESOLUTION APPROVING THE CONDEMNATION OF REAL ESTATE (THREE RIVERS AMBULANCE AUTHORITY)

Whereas, the Fort Wayne Board of Public Works has adopted Resolution 93-9-S-1 on July 13, 1994, identifying four parcels of real estate (Real Estate) for acquisition by eminent domain for purposes of erecting a building to be leased to Three Rivers Ambulance Authority (TRAA); said acquisition is necessitated by the relocation of the existing TRAA facility at 333 South Clinton Street brought about by the Headwaters Park Project; and

Whereas, the Fort Wayne Common Council subsequently adopted Special Resolution S-74-94 on September 27, 1994, ratifying, confirming and approving Board of Works Resolution 93-9-S-1; and

Whereas, the Common Council, also on September 27, 1994, adopted Resolution R-59-94 designating TRAA as the City's purchasing agent to acquire through private negotiations the portion of the building site not identified for acquisition by eminent domain; and

Whereas, pursuant to the adoption of said Resolution 93-9-S-1, and the approval of said Resolution by Council, the Board of Works on March 15, 1995 approved an Intergovernmental Agreement with the Fort Wayne Redevelopment Commission, employing the Commission as the Board's agent in the acquisition of the Real Estate; and

Whereas, the Redevelopment Commission subsequently adopted Resolution 95-17 approving the Intergovernmental Agreement with the Board of Works; and

Whereas, TRAA has informed the City that it will be necessary to acquire additional parcels of real estate through eminent domain due either to the failure of private negotiations or to defects in title which may not be resolved without causing significant delay to the project; and

Whereas, said additional parcels of real estate are identified as follows:

a. The East ½ of Lot Number 96 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, according to the recorded plat thereof, more commonly known as 530 East Brackenridge Street (Parcel No. 5).

b. The North 35.8 feet of the South 76.6 feet of Lots 101 & 102 in Lewis Addition to the City of Fort Wayne, Indiana, more commonly known as 1427 Clay Street (Key No. 91-3286-0207, Parcel No. 6)

   ALSO:

   The South 40 5/6 feet of the West 55 Lot 101 in Lewis Addition to the City of Fort Wayne, Indiana, more commonly known as 1431 Clay Street (Key No. 91-3286-0210, Parcel No. 7).

NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE BOARD OF PUBLIC WORKS that:

The Board of Works finds the acquisition of the real estate identified herein to be in the public interest.

BE IT FURTHER RESOLVED that the maximum offering price for each of the parcels shall be the average of two appraisals; and

BE IT FURTHER RESOLVED that relocation procedures and payments in accordance with the Indiana Code be offered to the occupants of the real estate; and

BE IT FURTHER RESOLVED that, with the approval of this Resolution by the Common Council of the City of Fort Wayne, Indiana, that the Board of Public Works acquire said real estate by the power of eminent domain through its agent, the Fort Wayne Redevelopment Commission.

Resolved this 17th day of May, 1995.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairperson

C. James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

4171-305-9
5-17-95

IMPROVEMENT RESOLUTION NO. 6387-95
MISCELLANEOUS CONSTRUCTION PACKAGE 2/95
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve the following locations by reconstructing the curbs, sidewalks and drive approaches as needed:

1. 312 through 326 West Oakdale Drive
2. 352 West Suttenfield Street
3. 2120 South Harrison Street (West Side of Harrison St. from Butler St. to Dewald St.)

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 17 day of MAY, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Secretary and Clerk

HI 81-305-8
5-17-95

IMPROVEMENT RESOLUTION NO. 6383-95
WILDWOOD AVENUE IMPROVEMENTS: HOAGLAND AVE. TO WEBSTER ST.
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

WILDWOOD AVENUE FROM HOAGLAND AVENUE TO WEBSTER STREET BY RECONSTRUCTING THE CURBS ON THE CENTER ISLAND.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 17 **day of** MAY **, 19**95.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-304-7
5-17-95

IMPROVEMENT RESOLUTION NO. 6372-95
PARKVIEW ADDITION SPOT CONCRETE PAVEMENT REPAIR
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

PARKVIEW ADDITION BY SPOT CONCRETE PAVEMENT REPAIR
THROUGH-OUT ADDITION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 17 day of MAY, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-303-2
5-10-95

RESOLUTION #534-95

STONEY RUN CREEK AT ARCHWOOD LANE DRAINAGE IMPROVEMENT

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

Beginning at the S.E. corner of Lot #206 Northcrest Addition Sec. 2. Thence northerly 150± on and along the east property line to the terminus of the project.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by TIF funds of the City of Fort Wayne.

ADOPTED this 10 day of MAY, 1995.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk

Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

H1 81-301-12
5-10-95

IMPROVEMENT RESOLUTION NO. 6388-95
LEESBURG ROAD: BASS ROAD TO HILLEGAS ROAD
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

LEESBURG ROAD FROM BASS ROAD TO HILLEGAS ROAD AND
BASS ROAD FROM FALL CREEK PARKWAY TO 250 FEET EAST OF NEUHAUS DRIVE

PROPOSED IMPROVEMENTS INCLUDE: PAVEMENT WIDENING, PAVEMENT WEDGE AND LEVELING, PAVEMENT RESURFACING, SHOULDER GRADING, DRAINAGE REHABILITATION , WATER MAIN INSTALLATION, PAVEMENT MARKING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 10 day of May, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

41 81-301-11
5-10-95

IMPROVEMENT RESOLUTION NO. 6385-95
1300 BLOCK OF WEST JEFFERSON ALLEY RECONSTRUCTION
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
EAST/WEST ALLEY FROM NELSON ST. TO GARDEN ST. BETWEEN WASHINGTON BLVD. AND JEFFERSON BLVD. BY RECONSTRUCTING THE ALLEY WITH NEW CONCRETE PAVEMENT AND RECONSTRUCTING THE ALLEY APPROACHES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 75% on the real estate abutting on said improvements as above described and 25% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 10 **day of** MAY **, 19**95

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

41 81-298-19
5-3-95

IMPROVEMENT RESOLUTION NO. 6386-95
E. STATE BLVD. ASPHALT SIDEWALK REPLACEMENT: FOREST VALLEY DR. TO BLACKHAWK MIDDLE SCHOOL
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

E. STATE BLVD. FROM FOREST VALLEY DRIVE TO THE WEST PROPERTY LINE OF BLACKHAWK MIDDLE SCHOOL (SOUTH SIDE ONLY) BY RECONSTRUCTION OF NEW ASPHALT WALKWAY WHICH INCLUDES ASPHALT OVERLAY ON EXISTING WALK, RECONSTRUCTION OF CURB RAMPS AND MULCHED SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 3 day of MAY, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-298-18
5-3-95

IMPROVEMENT RESOLUTION NO. 6382-95
CROWN COLONY CONCRETE PAVEMENT REPAIR - PHASE II
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

MOOREFIELD LANE FROM THE WEST CURBLINE OF CHADWICK DRIVE WESTWARDLY TO A POINT 315 ± LINEAL FEET - CONCRETE PAVEMENT RECONSTRUCTION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 3 day of MAY , 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

BID

CONTRACTOR:

PROJ: STATE BLVD.:FOREST VALLEY DR.
TO BLACKHAWK SCHOOL

RESOLUTION #: 6386-95

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Common Excavation	30	CY		
2.	Type "O" Compacted Aggregate #53	80	TON		
3.	Concrete Curb Ramps	65	SY		
4.	Concrete Removal	65	SY		
5.	Curb Removal	60	LF		
6.	Bituminous Binder No. 11, H.A.C. L.V.	110	TON		
7.	Bituminous Binder No. 12, H.A.C. L.V.	55	TON		
8.	Concrete Curb Type I-B	45	LF		
9.	Top Soil	120	TON		
10	Seed, Mulch & Fertilizer	875	SY		
11.	Maintenance of Traffic	1	LS		
12	Mobilization & Demobilization	1	LS		

TOTAL: ____________

SHEET 1 OF 1

B I D
CONTRACTOR:
PROJ: CROWN COLONY PHASE II **RESOLUTION #:** 6382-95

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Removal of Pavement	955	SY		
2.	Removal of Concrete	100	SY		
3.	Cement Concrete Pavement, Plain, 6 Inches	955	SY		
4.	Type "O" Compacted Aggregate for Base	240	TON		
5.	Anchor Bolts	25	EA		
6.	Underdrain, 6" Perforated Plastic, #8 Coarse Aggregate backfill	650	LF		
7.	Concrete Wingwalks & Ramps	100	SY		
8.	Mobilization & Demobilization	1	LS		

TOTAL: ____________

SHEET 1 OF 1
CONTRACTOR WILL BE PAID ON MEASURED QUANTITIES ONLY,
AT UNIT PRICE BID.

The Engineer will mark out the proposed miscellaneous improvements upon notification from the contractor.
Maintenance of Traffic shall not be paid for directly, but cost there of will be included in various items of the contract.
Restoration to park-strip areas, including mulched seeding and top soil required, will not be paid for directly, but cost there of shall be included in various items of the contract.

H1 81-a.
4-26-95 -

RESOLUTION- 81-294-2
REQUESTING JURISDICTION OF COUNTY REGULATED DRAINS WITHIN THE CITY OF FORT WAYNE

Resolved by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The Board of Stormwater Management petitions the Allen County Drainage Board and the Allen County Surveyor for the transfer of jurisdiction and authority and the operation and maintenance of those stormwater drains categorized by the Drainage Board as Regulated Drains that lie within the Corporate Limits of the City of Fort Wayne, Indiana, and that:

All associated drainage rights-of-way and easements for said drains and their use be transferred to the Board of Stormwater Management; and that:

All accrued drainage maintenance funds in the accounts of any such transferred regulated Drains be transferred to the City of Fort Wayne Stormwater Utility; and that:

The future cost of operation and maintenance of the transferred drains shall be paid out of the City of Fort Wayne Stormwater Utility funds upon transfer of said drains; and that:

Negotiations with the Allen County Drainage Board for said transference will be done on behalf of the Board of Stormwater Management by the Director of Utilities and/or his designates, with the resulting agreements subject to approval by the Board of Stormwater Management; and that:

Jurisdiction of the Regulated Drains, or portions thereof, lying within the Corporate Limits of the City of Fort Wayne to be transferred according to a mutually agreed upon schedule, but not later than December 31, 1998, to be negotiated between the Board of Stormwater Management and the Allen County Drainage Board,

all in accordance with IC 36-9-27 sections 1 through 113

adopted this 26 day of APRIL 1995.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C.James Owen, Member

Terrance P. McCaffery
Terrance P. McCaffery, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

dh\regdrain.2mt

HI 81-292-19
4-26-95

Memorandum
TRANSPORTATION ENGINEERING DEPARTMENT

To: **Terese Brown**
Sidonie Inman

From: Carl E. O'Neal
Director

Re: **Flood Control Project Phase II**
Right of Way Engineering

Date: May 9, 1995

95 MAY 31 AM 10:14

Please find attached an addendum agreement between the City of Fort Wayne, Board of Public Works and Bonar and Associates, Incorporated to provide services to complete the right-of-way engineering for the east/north segment (phase II) of the Army Corps Flood Protection Project dated April 26, 1995.

Also attached is an agreement to assign various rights and interest between the Board of Commissioners of the County of Allen and the City of Fort Wayne which has been executed by the Board of Public Works and Mayor Helmke. Please have the County Commissioners sign and return a xerox copy to me upon completion.

When I receive invoices pertaining to work completed in phase II, I will review and approve them and send them to you for payment out of the flood control bond issue.

Thank you for your cooperation and assistance, it is greatly appreciated.

Carl E O'Neal
Carl E. O'Neal

cc: Paul Helmke
Allen County Commissioners
Bill Fishering

AGREEMENT TO ASSIGN VARIOUS RIGHTS AND INTERESTS

This AGREEMENT TO ASSIGN VARIOUS RIGHTS AND INTERESTS (the "Agreement") dated as of APRIL 26*, 1995, between the Board of Commissioners of the County of Allen (the "County") and the City of Fort Wayne, Indiana (the "City"), under the circumstances summarized in the following recitals:*

***WHEREAS**, the City and the County entered into a Project Cooperation Agreement, together with the Department of the Army on the 22nd day of August, 1994 for the construction of the Fort Wayne and Vicinity Flood Control Project and, whereas, the County of Allen caused to be issued certain bonds to partially fund said project, which bonds were issued under date of December 7, 1994 and which funds are now available for expenditure in accordance with the provisions thereof and the local governing statutes; and*

***WHEREAS** the City has contracted with certain professional engineering firms for the providing of services in conjunction with the Flood Control Project which the City and the County agree should be paid from the proceeds of the bond and to comply with State law it is therefore necessary to assign those contracts from the City to the County;*

***NOW, THEREFORE**, the City, in consideration of the sum of One Dollars ($1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby conveys, transfers and assigns to the County all right, title and interest of the City in the engineering contracts with Bonar and Associates, Incorporated for the Project to the County.*

The County accepts said agreement and agrees to fulfill the obligations of the City found therein. The County shall indemnify and hold harmless the City from any claim made pursuant to said contracts, except to the extent that such claim arises out of the direction action or inaction of a City employee, servant or agent.

THE CITY OF FORT WAYNE, INDIANA

By: ______________________

Honorable Paul Helmke, Mayor
City of Fort Wayne, Indiana

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Director of Public Works

James Owen

C. James Owen, Member

Terrance P McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

Jack C McComb

Jack C. McComb
Commissioner

Edwin J. Rousseau
Commissioner

Linda K Bloom

Linda K. Bloom
Commissioner

ATTEST:

Therese M. Brown
Auditor

ADDENDUM NO. 1 - 1995
PROFESSIONAL SERVICES AGREEMENT
BONAR & ASSOCIATES, INC.

PROJECT: Army Corps of Engineers Flood Control Project for Fort Wayne
Agreement for Professional Services

TITLED: Right-of-Way and Easement Descriptions

DATE: Original Agreement dated December 7, 1994

I. This Addendum shall constitute an offer by the City of Fort Wayne, Board of Public Works & Safety (Owner) and the acceptance by Bonar & Associates, Inc. (Engineer) to compete all work as outlined in the original agreement for the above-referenced project.

II. The Engineer hereby agrees to complete the scope of work for the East North Segment in accordance with all terms and conditions as set forth within the Professional Services Agreement dated 12/7/94 to which the addendum is attached and made a part of, after Notice to Proceed is issued to the Engineer.

III. Engineer agrees to provide, to the Owner, services as outlined on a per-parcel basis. Said costs are to be based on the number of legal descriptions and drawings prepared. All invoices for charges associated with this project shall indicate the number of parcels prepared. Owner agrees to pay said invoices for said charges within thirty (30) days after submittal of the invoice by the Engineer. The following is a summary of anticipated costs for this phase (Section 3.2):

SEGMENT	NO. OF PARCELS	COST PER PARCEL	TOTAL
East-North	90 ea. Legals	$180.00	$16,200.00
	40 ea. Drawings	55.00	2,200.00
	Subtotal		$18,400.00

Terms and conditions of the Addendum are agreed to by both parties the 26 day of APRIL, 1995.

Owner's Representative

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS ~~& SAFETY~~

Timothy P. McCaffrey

ATTEST:

Patricia J. Crick
Clerk, Board of Works ~~& Safety~~

Engineer's Representative:

BONAR & ASSOCIATES, INC.

Darrell Post
Darrell Post, Vice President

ATTEST:

Keith E Smith
Keith Smith

Attachment: December 7, 1994, Agreement

wp\39\1455.add:rs 4/5/95

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, made this 7 day of DEC., 1994, by and between the City of Fort Wayne, Indiana, acting by and through its Board of Public Works ~~and Safety~~, hereinafter referred to as "City"; and Bonar & Associates, Inc., consulting engineers, 616 South Harrison Street, Fort Wayne, IN 46802, hereinafter referred to as the "Engineer",

WHEREAS, City is planning to obtain right-of-way or easements for the Army Corps of Engineer Flood Control Project for the Maumee, St. Joe, St. Mary's Rivers, and Spy Run Creek in Fort Wayne, Indiana, and

WHEREAS, City will need legal descriptions to complete the necessary documents for acquisition or grants of easement or rights-of-way for above said Flood Control Project., and

WHEREAS, City wants to employ the services of a Consultant Engineer and Surveyor to assist in completing the right-of-way engineering services, and

WHEREAS, it is the purpose of this agreement to set forth the terms and conditions of said employment.

NOW, THEREFORE, the City and Engineer mutually agree as follows:

SECTION 1. - SCOPE OF SERVICES

1.1 The Engineer will follow the general right-of-way procedures and requirements to provide the following services:

1.1.1 Prepare legal descriptions for each parcel. Parcels shall be limited to match lines shown on plans for Real Estate as prepared by Rust, Inc.

1.1.2 Determine the acreage of the area included in the legal description.

1.1.3 Provide a numbering system in order to distinguish the location of the parcel described in each legal description.

1.14 Provide a drawing for those parcels that are not owned by the City of Fort Wayne.

SECTION 2 - CITY'S RESPONSIBILITIES

2.1 The City shall provide the Engineer any available data including a copy of the Real Estate Requirement Drawings prepared by Rust, Inc.

2.2 The City will designate a person to be the City's primary contact person.

2.3 The City shall have their attorney prepare documents from legal descriptions prepared by the Engineer and perform legal matters related to the right-of-way services.

SECTION 3 - COMPENSATION

3.1 The City shall pay the Engineer on a per-parcel basis as shown below:

ITEM	UNIT COST
3.1.1 Legal Description	$180.00
3.1.2 Land Plats - Drawing	55.00

3.2 The Flood Control Project has four phases, and plans for Real Estate have been prepared for the first phase, known as East-South Segment. There are approximately 40 parcels requiring legal descriptions in this phase. The following is a summary of anticipated costs for this phase:

SEGMENT	NO. OF PARCELS	COST PER PARCEL	TOTAL
East-South	40 ea. legal	$180.00	$7,200.00
	8 ea. drawings	55.00	440.00
		SUBTOTAL	$7,640.00
East-North	Not Determined		
Central	Not Determined		
West	Not Determined		

3.3 The number of parcels is based on the number of parcels shown on the plans for Real Estate Requirements as prepared by Rust, Inc. If for some reason, the plans are changed or revised or not yet completed, the number of parcels could also change. The final compensation will be based upon the exact number of parcels requiring legal descriptions.

3.4 Engineer's above charges are based on the prompt payment of bills rendered and continuous progress of the work on the assignment.

3.5 City shall pay Engineer for services rendered within thirty (30) days after receiving Engineer's bill.

3.6 Additional Services for right-of-way or easement-related items such as field staking, deed research, etc., are not part of this Agreement. These services can be provided by Engineer at such time as services may be required and could be enacted by written acceptance by both parties, with scope and fee stipulated.

SECTION 4 - TIME SCHEDULE

4.1 The obligation to provide services under this contract may be terminated by City or Engineer with or without cause upon seven (7) days' written notice to the other party. In the event of termination, Engineer will be paid for all services rendered to date of termination and will be paid other expenses, as herein provided, incurred to date of termination.

4.2 City and Engineer and their respective partners, successors, executors, administrators, assigns and legal representatives of each are bound by this agreement to the other party to this agreement, and to the partners, successors, executors, administrators, assigns and legal representatives of such other party in all respects of all covenants, agreements and obligations of this agreement.

4.3 Nothing contained herein shall be construed to give any rights or benefits hereinunder to anyone other than City or Engineer.

4.4 The relationship of the parties hereto shall be as provided for in this agreement, and the Engineer shall in no fashion be deemed to be an employee of the City. In that regard, the Engineer and all of Engineer's personnel, employees, agents, contractors, consultants, and the like shall not be employees of the City. Furthermore, the Engineer shall have all responsibility to pay all of its employees, consultants, agents, contractors and the like including, but not limited to, social security contributions, unemployment, workers compensation tax, and any other benefits; and the City shall not be responsible for same, but rather the compensation to be paid hereunder by City to Engineer shall be the full compensation and moneys required of the City. Furthermore, the Engineer shall cause all of its bills to be paid promptly and shall not cause any claims, mechanics' liens, or the like to be placed against the City or any of its property for any work performed hereinunder by the Engineer or anyone hired or utilized by the Engineer.

IN WITNESS WHEREOF, the parties hereto have made and executed this agreement on the day and year first written above.

CITY
CITY OF FORT WAYNE, IN

Its Board of Public Works & Safety

ATTEST:
Patricia J. Crick
~~City Clerk-Treasurer~~
CLERK - BOARD OF WORKS

ENGINEER
BONAR & ASSOCIATES, INC.

Darrell Post
Darrell Post, Vice President

ATTEST:
Keith E. Smith
Keith Smith, L.S.

H1 81-241-14
4-26-95

WATER MAIN EXTENSION
RESOLUTION 1064-95

RESOLVED by the Board of Public Works that it is deemed necessary to construct:

A water main on the west side of South Anthony Boulevard commencing from an existing 12" water main 70± L.F. south of the south line of Fox Point Trail southerly 678± L.F. to a point.

And said improvements with all appurtenances, shall be constructed in accordance with the plans, profiles, and specifications now on file in the Office of the Board of Public Works of said City.

The cost of said water system project shall be paid and shared by the City of Fort Wayne and by the benefited property owners.

The property holders share of said improvement shall be apportioned against and paid by the said property holders benefited by said improvements all according to the method and manner provided for in the Acts of the General Assembly of the State of Indiana.

Assessments, if deferred, are to be paid in ten equal installments with interest at a rate of **seven (7%) percent per annum,** and shall be financed under Revolving Barrett Law Funds as provided for in the above-entitled acts and all amendments thereto and supplemental thereof.

ADOPTED THIS 26 **DAY OF** APRIL, **1995.**

Board of Public Works

BY: Linda Buskirk
Linda Buskirk, Chairman

BY: Jim Owen
C. James Owen, Member

BY: Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

APPROVED as to form and legality by ______________________ Attorney-at-Law.

H1 81-291-13
4-26-95

IMPROVEMENT RESOLUTION NO. 6384-95
EDSALL AVENUE/SCHELE AVENUE IMPROVEMENTS
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

EDSALL AVENUE FROM SCHELE AVENUE TO THE SOUTH PROPERTY LINE OF THE GREATER MOUNT ARARAT BAPTIST CHURCH (APPROXIMATELY 425 ± LINEAL FEET) EAST SIDE ONLY BY THE CONSTRUCTION OF NEW CONCRETE SIDEWALKS AND DRIVEWAY APPROACHES; AND

SCHELE AVENUE FROM EDSALL AVENUE TO BIRCHWOOD AVENUE (APPROXIMATELY 400 ± LINEAL FEET) SOUTH SIDE ONLY BY THE CONSTRUCTION OF NEW CONCRETE SIDEWALKS AND CURB RAMP INSTALLATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 26 day of APRIL, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

ESTIMATE OF QUANTITIES

PROJECT: EDSALL AVE./SCHELE AVE **RESOLUTION 6384-95**

DATE: **BOARD ORDER #:**

ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Common Excavation	110	CY		
2.	Removal of Concrete	60	SY		
3.	Concrete Sidewalk	430	SY		
6	Concrete Curb Ramps	52	SY		
5.	Conc. Pavement for Commercial Drive	38	SY		
6.	Conc. Pavement for Residential Drive	24	SY		
7.	Special Inlet for Yard Drains (includes 6" Pipe)	1	EA		
8.	B-Borrow	105	TON		
9.	Top Soil	125	TON		
10.	Mulched Seeding	1070	SY		
11.	Bituminous Mixture for Patching	15	TON		
12.	Borrow (Undistributed Material)	40	CY		
13.	Mobilization & Demobilization	1	LS		
14.	Type II Barricades w/Flasher	25	EA		

H1 81-291-12
4-26-95

IMPROVEMENT RESOLUTION NO. 6381-95
SUB-AREA COMMERCIAL CAPITAL IMPROVEMENT PROJECT B-94
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1. 5022 TO 5002 CALHOUN ST. (LOTS 563 THROUGH 569 OF BELMONT ADD.) REPLACEMENT OF SIDEWALKS, CURBS, DRIVES & DRAINAGE STRUCTURE

2. 1110 MAPLE AVE. (THOMPSONS PARTN IN SEC. 10 & 15-30-12 E. E. 152 OF N. 43 3/4 FR. OF LOT #3 LYING N. OF MAPLE AVE. & W. OF BROADWAY) REPLACEMENT OF SIDEWALK AND CURB

3. 501 BRACKENRIDGE ST. (LEWIS ADD. W. 50 FR. LOT #77) REPLACEMENT OF CURB & SIDEWALK

4. 1405 THROUGH 1417 HANNA ST. (HANNAS AMD. ADD. N 1/2 LOT #599) REPLACEMENT OF SIDEWALK

5. 2021 SHERMAN BLVD. (NEUHAUS ADD. LOT #43) REPLACEMENT OF CURBFACE WALK, DRIVE & ALLEY APPROACH ON MARGARET AVE.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 26 day of APRIL, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-291-11
4-26-95

IMPROVEMENT RESOLUTION NO. 6380-95
CBD CURB RAMPS: PHASE II
CEDIT AT-LARGE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CENTRAL BUSINESS DISTRICT CURB RAMPS: PHASE II

ALTER EXISTING AREAS, ELEMENTS AND FACILITIES INTENDED FOR PEDESTRIAN ACCESS BY REMOVING EXISTING CURBS AND SIDEWALKS, RELOCATE UTILITIES, CONSTRUCT PUBLIC SIDEWALK CURB RAMPS IN COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT. RECONSTRUCT SIDEWALKS AND INSTALL PAVEMENT MARKINGS AT TWELVE LOCATIONS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) At-Large Funds.

Adopted, this 26 day of APRIL, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

ESTIMATE OF QUANTITIES

PROJECT: CCIP94B

RES. NO.: 6381-95

B.O. NO.: 100-94

DATE 3-22-95

ITEM NO.	ITEM	PLAN QUANITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	REMOVAL OF CONCRETE	902	SY		
2.	REMOVAL OF CURB	510	LF		
3.	BORROW (BACKFILL BEHIND CURB)	40	TON		
4.	CEMENT CONC. PAVE.,PLAIN,9" RECESSED 2"	35	SY		
5.	CONCRETE SIDEWALK	454	SY		
6.	CURBFACE SIDEWALK	69	SY		
7.	CONCRETE WINGWALK & RAMPS	139	SY		
8.	CONCRETE CURB TYPE III	385	LF		
9.	CONCRETE CURB TYPE II-A	45	LF		
10.	CONCRETE PAVEMENT FOR ALLEYS & COMMERCIAL DRIVES (8")	285	SY		
11.	INLET TYPE I-C,REMOVE & REPLACE (INCLUDING PIPE & BACKFILL)	1	EA		
12.	CASTING TYPE "F" CASTING, FURNISH & & ADJUST TO GRADE	2	EA		
13.	CASTING TYPE "E" CASTING, FURNISH & & ALIGN CONC. PRECAST CAP	1	EA		
14.	WATER VALVES ADJUSTED TO GRADE	4	EA		
15.	TOP SOIL	35	TON		
16.	MULCHED SEEDING	366	SY		
17.	CASTINGS ADJUSTED TO GRADE	1	SY		
18.	MOBILIZATION & DEMOBILIZATION	1	L.S.		

SHEET 1 OF 1

All asphalt patching to be included in cost of concrete item placed.

Contractor will be paid on measured quantities only, at unit price bid.

H1 81-291-10
4-26-95

IMPROVEMENT RESOLUTION NO. 6376-95
FAIRFIELD AVENUE IMPROVEMENTS: JEFFERSON BLVD. TO SUPERIOR STREET
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

FAIRFIELD AVENUE FROM JEFFERSON BLVD. TO SUPERIOR STREET
CONCRETE REHABILITATION AND REPLACEMENT (3R PROJECT)

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 26 day of APRIL, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

Jim Owen
C. James Owen
Member

Terrance P McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-287-13
4-19-95

The City of Fort Wayne
Paul Helmke, Mayor

A RESOLUTION RENEWING THE CITY OF FORT WAYNE'S CABLE TELEVISION FRANCHISE WITH COMCAST CABLEVISION OF FORT FORT WAYNE, L.P.

WHEREAS, Comcast Cablevision of Fort Wayne, L.P., (hereinafter "Comcast") filed with the City of Fort Wayne, Indiana, (hereinafter "City") a Request for Renewal within the requirements of the City's current Cable Communications Franchise (hereinafter "Cable Franchise") and also in accordance with the requirements of the Federal Cable Communications Policy Act of 1987, as amended in 1991 (hereinafter "the Cable Acts"); and

WHEREAS, Comcast also responded to the City of Fort Wayne's Request for Application for a Franchise Agreement and undertook a cooperative effort with the City and its consultant, Fredrikson & Byron, P.A., to develop a proposal that could be submitted to the Common Council of the City of Fort Wayne to be acted upon; and

WHEREAS, the franchise renewal process could not be properly concluded before the City's Cable Franchise expires on July 19, 1993, so the City extended the Cable Franchise until the franchise renewal process could be properly concluded; and

WHEREAS, the City has completed its negotiations and the informal franchise renewal process with Comcast and has concluded that (a) Comcast has the financial, legal and technical ability to provide cable services and facilities to the City and (b) the franchise terms and conditions set forth in the Master Franchise Agreement (attached hereto) meet the future cable-related needs and interests of the citizens of Fort Wayne;

One Main Street Fort Wayne, Indiana 46802-1804
An Equal Opportunity Employer

GCIU 552M

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

That the Board of Public Works hereby grants its approval of the renewal of the cable television franchise with the City of Fort Wayne, subject to final approval by Fort Wayne Common Council and the Mayor of Fort Wayne, in accordance with the Franchise Agreement attached hereto.

DATE: 4-19-95

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST:

Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-283-6
4-12-95

IMPROVEMENT RESOLUTION NO. 6379-95
EAST STATE BLVD. SIDEWALK IMPROVEMENT: KENTUCKY AVE. TO FLORIDA DR.
CEDIT/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

EAST STATE BLVD. FROM KENTUCKY AVENUE TO FLORIDA DRIVE

SIDEWALKS, CURBS, CURBFACE WALKS, DRIVEWAY APPROACHES AND STREET LIGHTS (BOTH SIDES)

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 12 day of APRIL, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-283-5
4-12-95

IMPROVEMENT RESOLUTION NO. 6378-95
LAFAYETTE STREET RETAINING WALL REPAIRS
BOARD OF PUBLIC WORKS CONTINGENCY FUND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

LAFAYETTE STREET RETAINING WALL REPAIRS

REMOVE AND RECONSTRUCT A SECTION OF EXISTING RETAINING WALL, CURB, SIDEWALK AND PEDESTRIAN RAILING ALONG WEST SIDE, NORTH OF RAILROAD VIADUCT.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne Board of Public Works Contingency Fund.

Adopted, this 12 **day of** APRIL **, 19**95.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Chairman

James Owen

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

HI 81-283-4
4-12-95

IMPROVEMENT RESOLUTION NO. 6377-95
SOUTHWOOD PARK CURBING PHASE VII
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

SOUTH WAYNE AVENUE FROM THE SOUTH CURB LINE OF SHERWOOD TERRACE TO THE NORTH CURB LINE OF PETTIT AVENUE BY RECONSTRUCTING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, YARDWALKS, CORNER WINGWALKS AND RAMPS AND REHABILITATING STORM SEWER STRUCTURES AS NEEDED (CENTER ISLAND INCLUDED). ALSO KNOWN AS SOUTHWOOD PARK CURBING PHASE VII.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 12 day of APRIL, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-281-14
4-5-95

BOARD OF WORKS RESOLUTION AUTHORIZING REDEVELOPMENT COMMISSION TO CONSTRUCT HEADWATERS PARK/CITY PARKING LOT AND TO APPROPRIATE PAYMENT THEREFORE FROM THE HEADWATERS PARK BOND FUND

WHEREAS, Board of Works has previously authorized the Fort Wayne Redevelopment Commission to act as its agent in acquisition of real estate for Headwaters Park and to handle relocation, demolition, environmental remediation and site preparation; and

WHEREAS, a portion of the ground acquired by Fort Wayne Redevelopment Commission on behalf of the City of Fort Wayne is designated in the Headwaters Park plans as a Headwaters Park/City Parking Lot; and

WHEREAS, plans for said parking lot are complete and ready for bid.

NOW THEREFORE, be it resolved that the Fort Wayne Redevelopment Commission be and is hereby authorized and directed to act as the agent for the Board of Public Works in the construction of the Headwaters Park/City Parking Lot and to appropriate funds from the Headwaters Park Bond Fund for payment thereof.

Executed this 5th day of April, 1995.

Board of Public Works for the City of Fort Wayne

By Linda Buskirk
Linda Buskirk, Director of Public Works

James Owen
C. James Owen, Member

Terrence P. McCaffrey
Terrence P. McCaffrey, Member

Attest: Patricia J. Crick
Patricia Crick, Clerk of the Board

H1 81-279-5
4-5-95

IMPROVEMENT RESOLUTION NO. 6373-95
SCIENCE CENTRAL ON CLINTON STREET NORTH: TURN LANE AND SIDEWALK
CEDIT/CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve by:

PAVEMENT WIDENING TO ALLOW FOR AN AUXILIARY TURN LANE TO SCIENCE CENTRAL ENTRANCE, CURBS, CURB RAMPS AND SIDEWALK RECONSTRUCTION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) and Community Development Block Grant (CDBG) Funds.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 5 day of April, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-275-10
3/29/95

IMPROVEMENT RESOLUTION NO. 6371-95
JEFFERSON BLVD./MAUMEE AVENUE AND WASHINGTON BLVD.
RESURFACING PROJECT
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

JEFFERSON BLVD./MAUMEE AVENUE AND WASHINGTON BLVD.

MILLING AND RESURFACING OF WASHINGTON BLVD. FROM CLINTON STREET TO GLASGOW, AND JEFFERSON BLVD./MAUMEE AVENUE FROM CLINTON STREET TO FAIRVIEW AVENUE. PROJECT WILL ALSO INCLUDE SIDEWALK AND CURB RAMP RECONSTRUCTION AS WELL AS TRAFFIC SIGNAL MODERNIZATION (TWO LOCATIONS).

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 29th day of March, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Thelma A. Morris
Patricia J. Crick
Secretary and Clerk Pro-tem

H1 81-269-11
3-22-95

IMPROVEMENT RESOLUTION NO. 6370-95
MAPLEWOOD ADDITION SPOT CONCRETE PAVEMENT REPAIR
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

SPOT CONCRETE PAVEMENT REPAIR THROUGH-OUT MAPLEWOOD ADDITION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 22 day of MARCH, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

MI 81-269-10
3-22-95

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-269-10

WHEREAS, some of Fort Wayne's interceptor sewers are subject to more flow than they are capable of handling; and

WHEREAS, these sewers may overflow during periods of wet weather; and

WHEREAS, these sewers have been identified by the Board of Public Works as High Problem Sewers in Resolution # 81-269-9 ; and

WHEREAS, the planning, design, financing and construction of the improvements necessary to correct these problems is expected to take more than one year;

NOW, THEREFORE the Board of Public Works hereby resolves that the Water Pollution Control Engineering Department shall not approve any SPC-15 permit applications for sewer extensions that flow into these High Problem Sewers unless the Board of Public Works determines that an exception to this policy is desirable.

APPROVED this 22 day of MARCH, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Chairman

James Owen

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

H1 81-269-9
3-22-95

BOARD OF PUBLIC WORKS

RESOLUTION NO. 81-269-9

WHEREAS, the Board of Public Works directed Water Pollution Control Engineering to classify major interceptors in the City's sewer system according to capacity; and,

WHEREAS, Water Pollution Control Engineering recommends that interceptors that have design capacity available all the way to the plant according to attached drawings titled Figure IV-2 be classified as "Capacity Available Sewers"; and,

WHEREAS, Water Pollution Control Engineering recommends that interceptors that have flows that exceed design capacity according to the attached drawings titled Figure IV-2, and that do not have flow test that verify Figure IV-2, and that have not had Water Pollution Control Maintenance visual verification of overflows, and that do not have a customer complaint history of basement flooding or system overflows, be classified as "Minor Problem Sewers"; and,

WHEREAS, Water Pollution Control Engineering recommends that interceptors that have flows that exceed design capacity according to the attached drawings titled Figure IV-2, and that have flow test that verify Figure IV-2, and that have had Water Pollution Control Maintenance visual verification of overflows, and that have a customer complaint history of basement flooding or system overflows, be classified as "High Problem Sewers"; and,

WHEREAS, the names of the interceptors are shown on the attached drawings titled Figure IV-2;

NOW, THEREFORE, the Board of Public Works hereby resolves that the following sewers be classified as "Capacity Available Sewers";

Wayne
St. Joseph
Swift
Pierson
North Maumee - South of North River Road
Clinton
Greendale
Martin
South Maumee
Harvester
Beckett
Beacon
Trier Ditch

and that the following sewers be classified as "Minor Problem Sewers";

Junk Ditch
Spy Run
N.D. Wash
St. Marys
Newhaus
J.S.
Ludwig Park

H1 81-269-8
3-22-95

EMERGENCY RESOLUTION NUMBER 81-269-8

WHEREAS, two (2) existing 12" combination sewers in the intersection of Berry Street and Clinton Street collapsed and caused a hole to develop in the street; and,

WHEREAS, said collapse could not reasonably be foreseen and required immediate action; and,

WHEREAS, repair of the sewer was beyond capability of Water Pollution Control Maintenance Department to perform; and,

WHEREAS, Earth Construction, Inc., T-G Incorporated, Crosby Excavating, Inc., and Liberty Construction, Inc., were invited to submit quotes on the repair; and,

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and order the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 22 day of MARCH, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Chairman

James Owen

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

and that the following sewers be classified as "High Problem Sewers";

Sunny Meadows Rothman Road G.S.
North Maumee - North of North River Road

and that these classifications shall be reviewed and modified by the Board of Public Works as conditions change.

APPROVED this 22 day of MARCH, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Chairman

James Owen

C. James Owen, Member

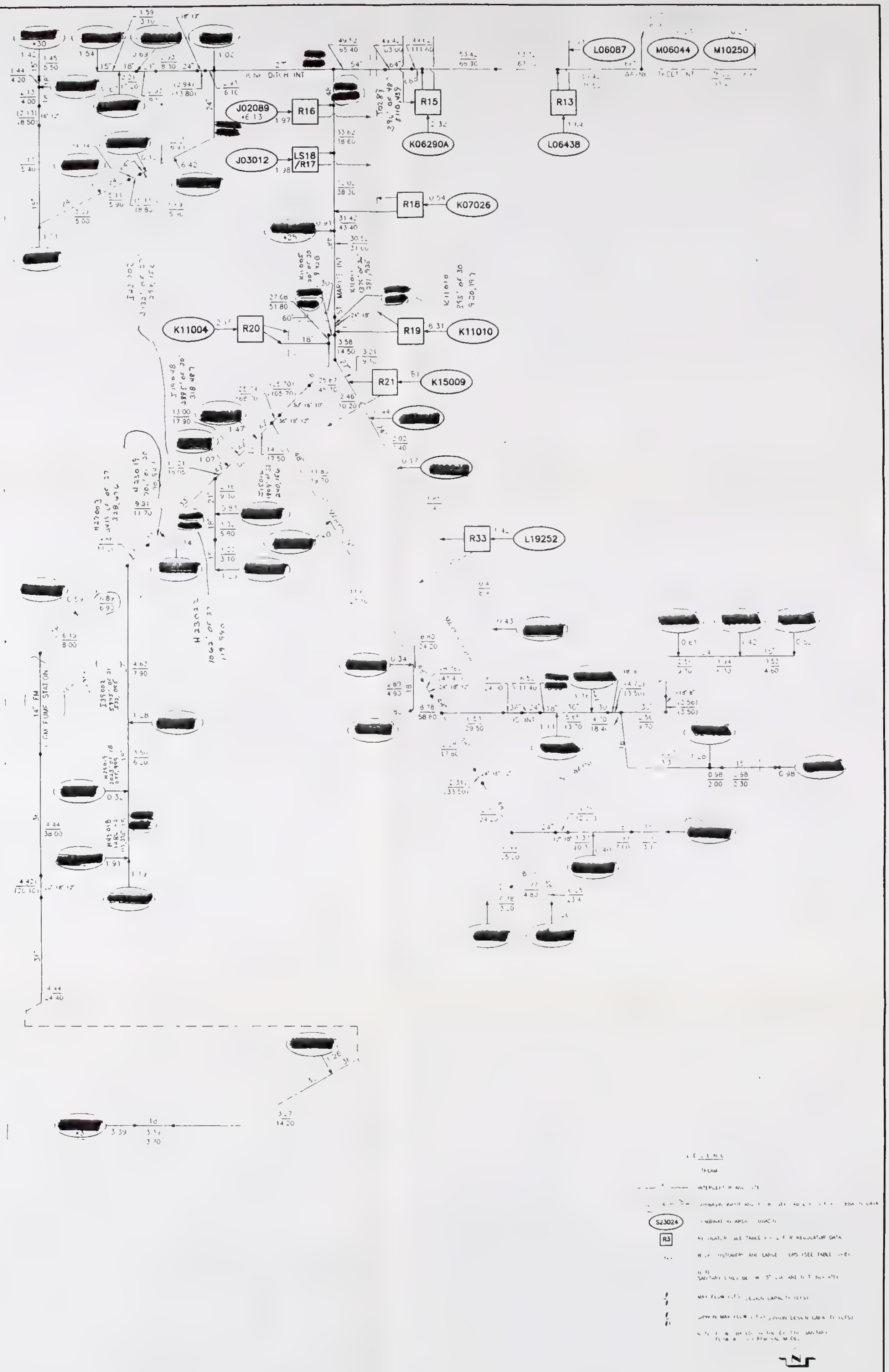
Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

TUL-3?685510
09/22/94 08-12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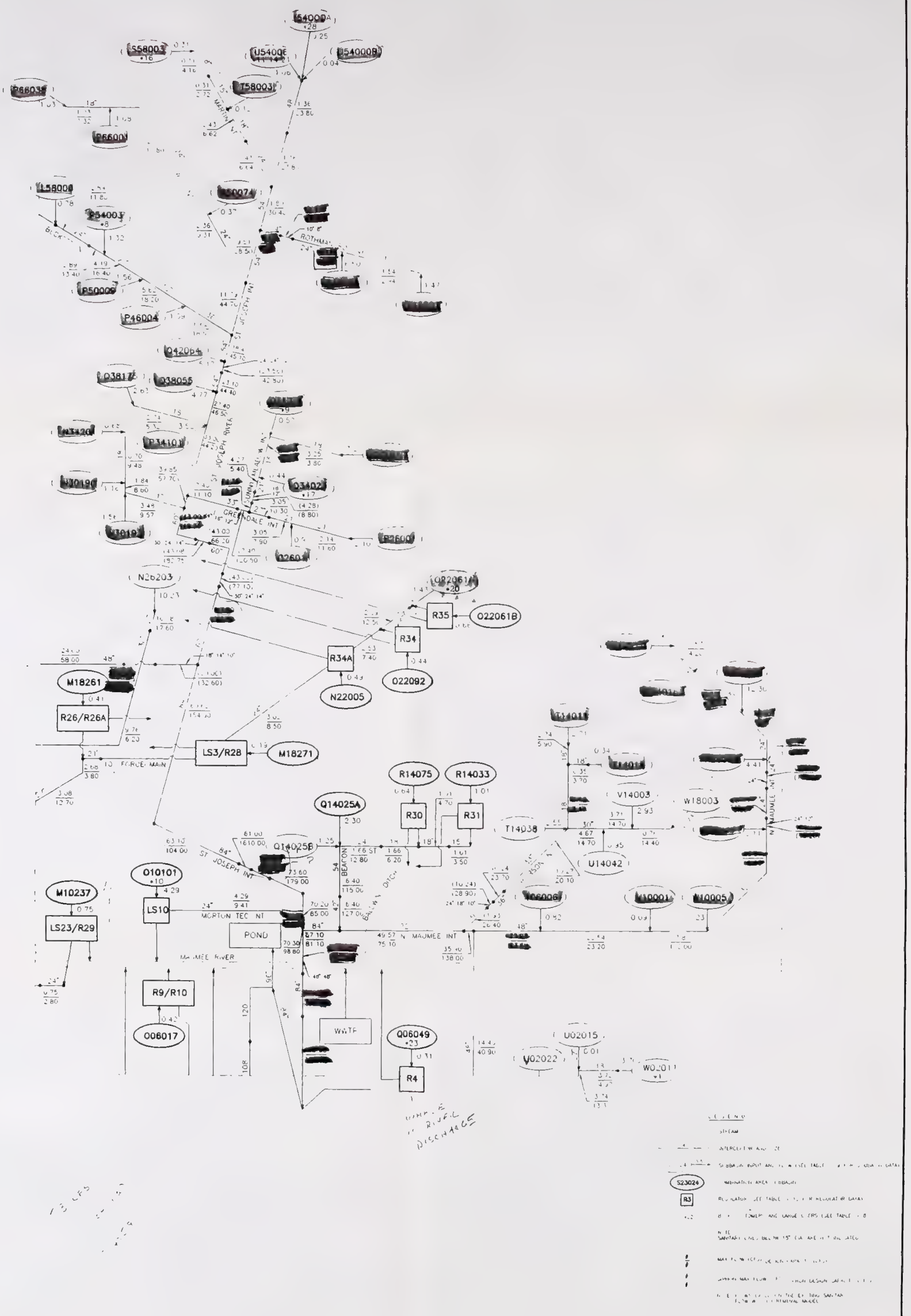
JUNE DITCH INT
L06087
M06044
M10250
R16
J02089
R15
R13
K06290A
L06438
J03012
LS18 /R17
R18
K07026
ST MARYS INT
K11004
R20
R19
K11010
R21
K15009
R33
L19252
14" FM
FM PUMP STATION
15 INT
LEGEND
INTERCEPTOR
S23024
R3
REGULATOR SEE TABLE FOR REGULATOR DATA
HIGH VOLUME CUSTOMERS AND LARGE USERS (SEE TABLE)
NOTE
SANITARY LINES BELOW 15" DIA ARE NOT INDICATED
MAX FLOW (CFS) DESIGN CAPACITY (CFS)
N

WASTEWATER FACILITIES MASTER PLAN
WATER POLLUTION CONTROL UTILITY
CITY OF FORT WAYNE, INDIANA

SEWER DENDROGRAM
SW QUADRANT

JONES & HENRY ENGINEERS, INC.
RUST ENVIRONMENT & INFRASTRUCTURE INC.

FIGURE IV-2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S58003
U54000
U54000B
T58003
R66035
R66001
L58000
R54003
R50074
R50009
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O38177
O38055
N34101
N30190
O34027
R26001
O26011
N26203
O22061A
O22061B
R35
R34
R34A
O22092
N22005
M18261
R26/R26A
LS3/R28
M18271
R14075
R14033
R30
R31
Q14025A
Q14025B
T14038
V14003
W18003
U14042
O10101
LS10
M10237
LS23/R29
POND
R9/R10
O06017
WWTF
Q06049
R4
U02015
V02022
W02011
ST JOSEPH INT
ST JOSEPH RIVER
SUNNYMEADE INT
GREENDALE INT
ROTHMAN
BECKETTS
MORTON TEC INT
MAUMEE RIVER
N MAUMEE INT
BEACON ST
BEACON
SPY RUN DITCH
FORCE MAIN
HAMILTON
N MAUMEE INT
LEGEND
STREAM
INTERCEPTOR
SUBBASIN INPUT
S23024
R3
SANITARY LINES BELOW 15" DIA. ARE NOT INDICATED
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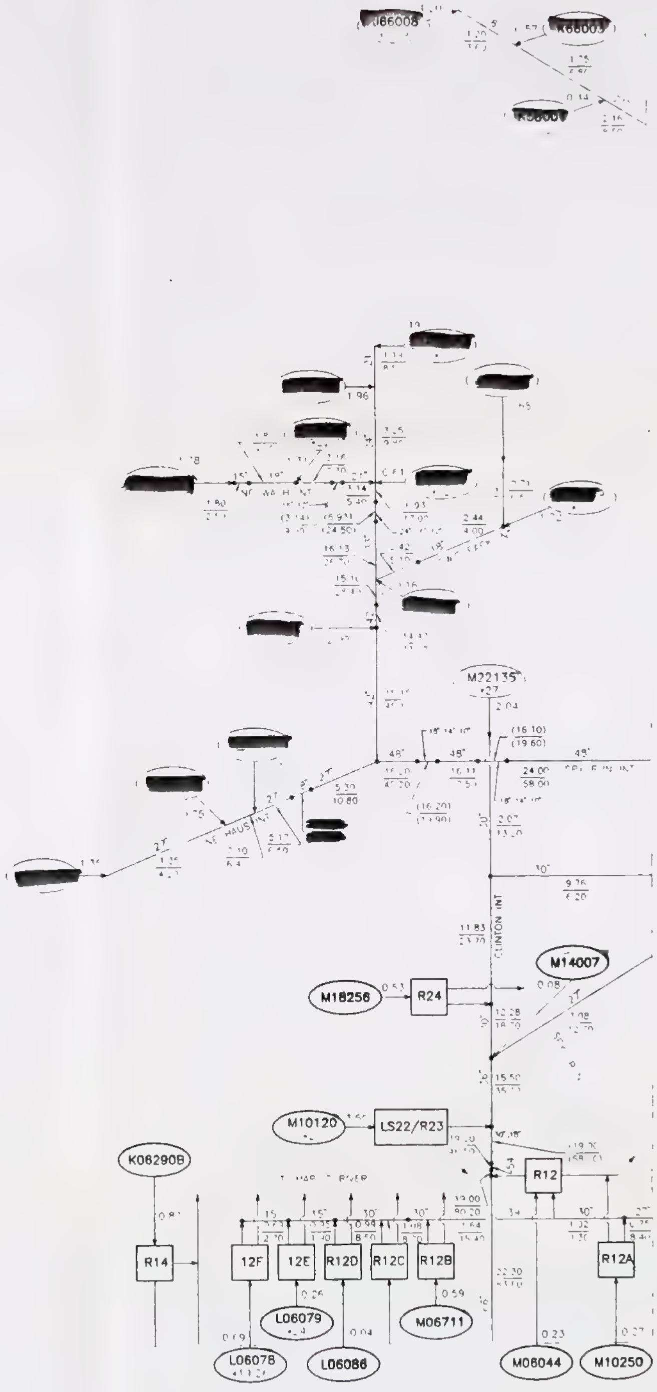
UNTREATED RIVER DISCHARGE

WASTEWATER FACILITIES MASTER PLAN
WATER POLLUTION CONTROL UTILITY
CITY OF FORT WAYNE INDIANA

SEWER DENDROGRAM
NE QUADRANT

JONES & HENRY ENGINEERS, INC.
[illegible] ENVIRONMENT & INFRASTRUCTURE [illegible]

FIGURE [illegible] 2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[redacted]
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5.40
2.44
4.00
M22135
+27
2.04
48"
48"
49"
(16.10)
(19.60)
24.00
58.00
(16.20)
(17.90)
5.30
10.80
2.10
6.4
30"
9.76
6.20
CLINTON INT
11.83
23.70
M14007
0.08
M18256
0.53
R24
12.28
15.50
M10120
LS22/R23
K06290B
R14
12F
12E
R12D
R12C
R12B
R12
R12A
19.00
90.20
22.30
1.32
0.26
L06079
0.59
M06711
0.04
L06078
L06086
0.23
M06044
0.27
M10250

LEGEND

- STREAM
- 24 INTERCEPTOR AND SIZE
- S23024 3.50 SUBBASIN INPUT AND FLOW (SEE TABLE III-9 FOR SUBBASIN DATA)
- S23024 COMBINATION AREA SUBBASIN
- R3 REGULATOR (SEE TABLE III-1, FOR REGULATOR DATA)
- 422 BULK CUSTOMERS AND LARGE USERS (SEE TABLE III-8)

NOTE
SANITARY LINES BELOW 15" DIA. ARE NOT INDICATED

- MAX FLOW (CFS) / DESIGN CAPACITY (CFS)
- SIPHON MAX FLOW (CFS) / SIPHON DESIGN CAPACITY (CFS)

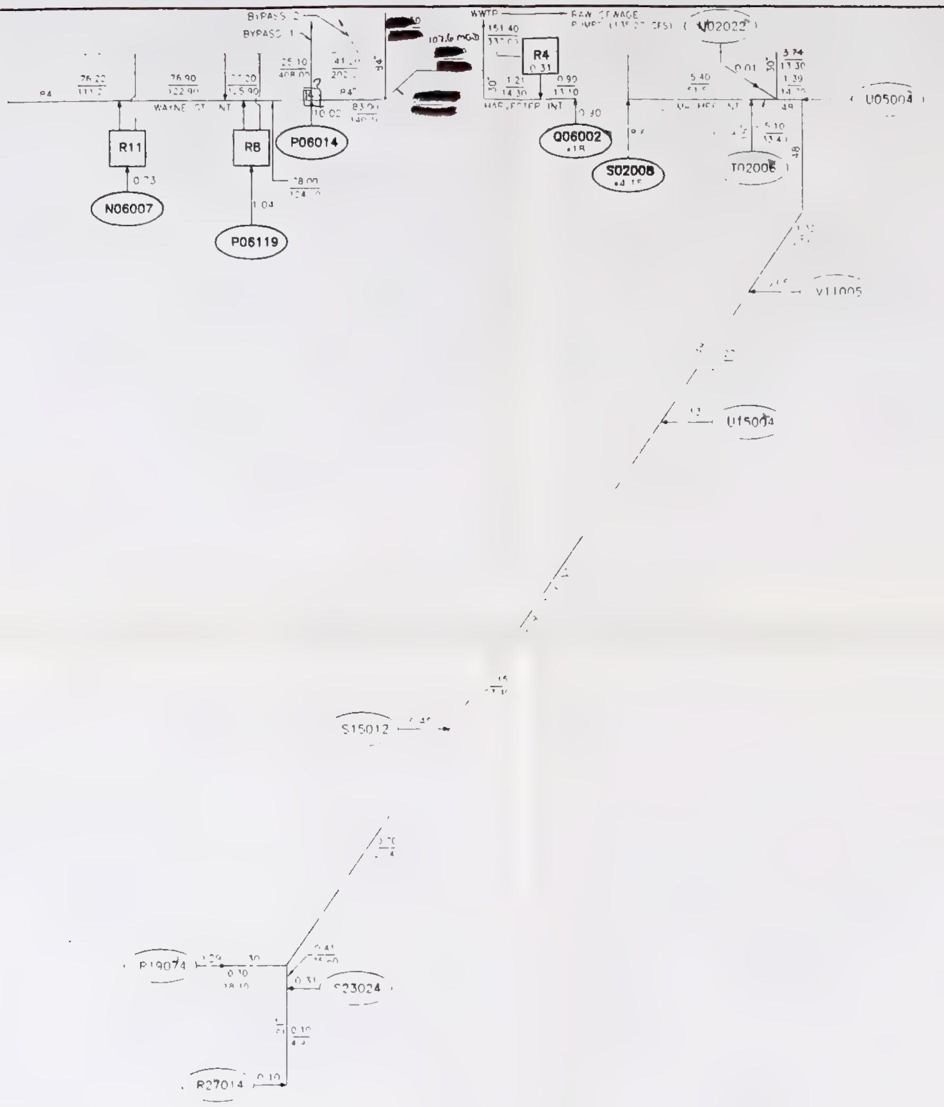
NOTE: FLOWS BASED ON THE EXISTING SANITARY FLOW [illegible] MODEL

WASTEWATER FACILITIES MASTER PLAN
WATER POLLUTION CONTROL UTILITY
CITY OF FORT WAYNE, INDIANA

SEWER DENDROGRAM
NW QUADRANT

JONES & HENRY ENGINEERS, INC
RUST ENVIRONMENT & INFRASTRUCTURE, INC

FIGURE IV-2


BYPASS 2
BYPASS 1
WWTP
RAW SEWAGE PUMPS
107.6 MGD
[redacted]
[redacted]
[redacted]
84
76.22
26.90
122.90
WAYNE ST INT
25.10
408.00
41.20
84"
84"
83.00
10.02
151.40
R4
0.31
30"
1.21
14.30
0.90
13.10
HARVESTER INT
0.30
5.40
30"
3.74
13.30
1.39
0.01
49
48
5.10
13.41
R11
R8
P06014
0.73
N06007
18.00
124.0
1.04
P06119
Q06002
S02008
V02022
U05004
T02006
V11005
U15004
S15012
R19074
0.30
18.10
30
S23024
0.31
0.10
R27014
0.10

LEGEND

STREAM

24" INTERCEPTOR AND SIZE

[illegible] AND FLOW (SEE TABLE [illegible] DATA)

(S23024) [illegible] AREA [illegible]

[R3] REGULATOR SEE TABLE [illegible] FOR REGULATOR DATA

[illegible] CUSTOMERS AND LARGE USERS SEE TABLE [illegible]

NOTE
SANITARY LINES [illegible] DIA. ARE NOT INDICATED

MAX FLOW [illegible] DESIGN CAPACITY (CFS)

NOTE: FLOW BASED ON THE EXISTING SANITARY
FLOW [illegible]

N

WASTEWATER FACILITIES MASTER PLAN
WATER POLLUTION CONTROL UTILITY
CITY OF FORT WAYNE, INDIANA

SEWER DENDROGRAM
SE QUADRANT

JONES & HENRY ENGINEERS, INC.
RUST ENVIRONMENT & INFRASTRUCTURE, INC.

FIGURE V-2

M1 81-265-16
3-15-95

RESOLUTION OF THE BOARD OF PUBLIC WORKS
OF THE CITY OF
FORT WAYNE, INDIANA

RESOLUTION NO. 81-266-18

WHEREAS, the City of Fort Wayne needs to lease various vehicles and equipment items for use by the Fort Wayne Police Department continued effective operations; and

WHEREAS, the Board of Public Works has, in the past, generally coordinated such leasing and has let bids therefore; and

WHEREAS, numerous bids have been let for the acquisition of various vehicles and equipment items and the Common Council is expected to approve the acquisition of said various vehicles and equipment items; and

WHEREAS, sufficient revenues are available from the City's General Fund and various public safety department funds to make lease rental payments on a timely basis as required for the leasing of said various vehicles and equipment items; and

WHEREAS, notices have been published requesting proposals from lessors to acquire the various vehicles and items of capital equipment and to lease the same to the City, pursuant to the terms and conditions contained in the form of lease; and

WHEREAS, the proposed lease provides for fair and reasonable rental and other equitable terms and conditions and, further, that the execution of said lease will permit the use and acquisition of said various vehicles and equipment items within the present financial capabilities of the City and therefore same is in the public interest; and

WHEREAS, the Common Council designates the Board of Public Works as leasing agent for the City of

HI 81-204-15
3-15-95

IMPROVEMENT RESOLUTION NO. 6369-95
LOWER HUNTINGTON ROAD: BLUFFTON ROAD TO BAER FIELD THRUWAY
CEDIT BOND/CEDIT NEIGHBORHOOD/STORM WATER UTILITY

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

LOWER HUNTINGTON ROAD: BLUFFTON ROAD TO BAER FIELD THRUWAY

PAVEMENT WIDENING, RESURFACING, CURB & GUTTER INSTALLATION, SIDEWALK RECONSTRUCTION, CURB RAMPS, STREET LIGHTING, STORM SEWERS, WATER MAIN RECONSTRUCTION, SIGNAL MODERNIZATION AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond /CEDIT Neighborhood and Storm Water Utility Funds.

Adopted, this 15 day of MARCH , 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

Fort Wayne, Indiana, for the transactions herein contemplated.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The Board of Public Works will receive bids from potential lessors for the lease of certain various vehicles and equipment items on **March 29, 1995.**

SECTION 2. The Board of Public Works, after reviewing all of the bids submitted to it pursuant to the Notice to Bidders and the Request for Proposal, will designate the lessor of those various vehicles and equipment items listed on the bids received from potential lessors for the lease of certain various vehicles and equipment items listed on the attached Exhibit "A" on **March 29, 1995.** The exact lessor purchase cost for the various vehicles and items of capital equipment contained on the attached Exhibit "A" shall be determined in accordance with bidding procedures of the City of Fort Wayne, if not so previously determined.

DATED: March 15, 1995

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Director

C. James Owen, Member

Terrance McCaffrey

Terrance McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia Crick, Clerk

M1 81-258-9
3-8-95

STREET LIGHT RESOLUTION

NUMBER 240-95

(B.L. #50020)

OAKDALE STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Oakdale, hereby deems it necessary to install an underground ornamental street light system in Oakdale; more specifically defined as: Oakdale Drive from the east right of way of Beaver Avenue in an eastern direction to the west right of way of South Wayne Avenue, is all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

A maximum of sixty percent (60%) of installation costs shall be assessed upon real estate abutting the above described streets. The balance of the project cost shall be assessed upon the City of Fort Wayne, Indiana, and to be paid by the 1995 C.E.D.I.T. Funds. Assessments, if deferred, are to be paid in ten (10) equal installments, with interest at seven percent (7%) per annum and shall be financed by the Barrett Law Revolving Improvement Fund, as provided for in the Indiana Statutes. All proceedings and any work done in said lighting assessment of property and collection of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Linda Buskirk
Director of Public Works

James Owen
C. James Owen
Board Member

Terry P McCaffrey
Terrance P. McCaffrey
Board Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

Dated This 8th Day of March 1995

H1 81-258-8
3-8-95

STREET LIGHT RESOLUTION

NUMBER 239-95

(B.L. #50017)

CAMELOT STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Camelot, hereby deems it necessary to install an underground ornamental street light system in Camelot; more specifically defined as; Camelot Section I, Lots #6 thru #53 and Lot #55; and Camelot Section II, Lots #56 thru #95, all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

A maximum of sixty percent (60%) of installation costs shall be assessed upon real estate abutting the above described streets. The balance of the project cost shall be assessed upon the City of Fort Wayne, Indiana, and to be paid by 1995 C.E.D.I.T. Funds. Assessments, if deferred, are to be paid in ten (10) equal installments, with interest at seven percent (7%) per annum and shall be financed by the Barrett Law Revolving Improvement Fund, as provided for in the Indiana Statutes. All proceedings and any work done in said lighting assessment of property and collection of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Linda Buskirk
Director of Public Works

James Owen
C. James Owen
Board Member

Terrany P. McCaffrey
Terrance P. McCaffrey
Board Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

Dated This 8th Day of March 1995

H1 81-258-7
3-8-95

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-255-6

RESOLUTION CONCERNING NEED FOR CONSULTANT SERVICES

WHEREAS, the North Maumee Sanitary Sewer Interceptor from Maysville Road and North River Road to St. Joe Center Road and Maplecrest Road is undersized according to the master plan and has experienced surcharge conditions; and,

WHEREAS, it is important and necessary to design a relief sewer or sewers; and,

WHEREAS, the Water Pollution Control Engineering staff does not have the time necessary to complete this project in the time frame required; and,

WHEREAS, the need for consultant services for this project is recognized;

NOW, THEREFORE the Board of Public Works hereby resolves to hire a consultant to design a relief sewer or sewers, to correct the current lack of capacity of the North Maumee Sanitary Sewer Interceptor.

APPROVED this 8 day of MARCH, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-251-13
3-1-95

THE CITY OF FORT WAYNE

FORT WAYNE - A WORLD - CLASS COMMUNITY

Paul Helmke
Mayor

LETTER OF COMMITMENT

TO: Allen County Regional Sewer & Water District

This will confirm the representations that the City of Fort Wayne has made to the ACRSWD.

Upon acquisition and concurrent with the closing or as nearly afterward as possible, the City will purchase from the ACRSWD in Northern Allen County, at a pre-determined price, the three (3) CTA's now controlled by Utility Center, Inc. along with all sewer collection lines and appurtenances therein.

The City agrees to provide, at the appropriate rates and charges, potable City water for redistribution and sale by the ACRSWD in this area. The City will undertake, at its expense, the installation of an appropriate number of metering points to measure the water provided.

In addition, the City will incorporate into its water distribution system, certain transmission lines, to be identified. The value of these lines will be determined by mutual agreement. The City will propose that the purchase of these water facilities be made by applying a credit, in an equal amount to the value of the facilities, against the metered accounts of the District. Monthly water usage, normally billed, will be deducted from the credit until such time as the credit is exhausted. Normal billing will then commence. Upon the exhaustion of the credit, the water facilities will become the sole property of the City.

The City will assist, where possible, and after further discussion, with the meter reading, billing and collection of water accounts in the area.

It is understood that the District may wish to provide maintenance and administration for the area, or arrange to contract for those services from the City or others at fees to be determined.

GCIU 337-M

RECYCLED

LETTER OF COMMITMENT
RECOMMENDATION PAGE

Recommended by:

Date: 2-28-95

Terry L. Atherton
Director of Utilities

Approved by Board of Public Works:

Linda Buskirk
Date: 3/1/95

Linda Buskirk
Chairman, Board of Public Works

James Owen
Date: 3/1/95

C. James Owen, Member
Board of Public Works

Date: 3/1/95

Terrance P. McCaffrey, Member
Board of Public Works

Attested by:

Patricia J. Crick

Patricia J. Crick, Clerk

Date: 3/1/95

Approved by:

Date: March 6, 1995

Paul Helmke, Mayor

H1 81-251-9
3-1-95

IMPROVEMENT RESOLUTION NO. 6362-~~94~~ 95
FAIRFIELD AVENUE RESURFACING: RUDISILL BLVD. TO PETTIT AVE.
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

FAIRFIELD AVENUE FROM THE SOUTH CURB LINE OF RUDISILL BLVD. TO THE NORTH CURB LINE OF PETTIT AVENUE BY MILLING AND RESURFACING THE EXISTING PAVEMENT AND THE PLACEMENT OF NEW PAVEMENT MARKINGS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 1ST day of MARCH, 1995

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-245-15
2-22-95

IMPROVEMENT RESOLUTION NO. 6368-95
SCIENCE CENTRAL INC.: WINDOWS
CEDIT AT LARGE

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

ALUMINUM STOREFRONT AND REPLACEMENT WINDOWS FOR SCIENCE CENTRAL BUILDING IN FORT WAYNE, INDIANA

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) At Large Funds.

Adopted, this 22 day of FEB , 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Director of Public Works

James Owen

C. James Owen
Member

Terrance P. McCaffrey

Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-239-18
2-15-95

RESOLUTION 81-239-18

WHEREAS, The Water Utility of the City of Fort Wayne desires to reduce the number of right-of-way cuts made to install service connections in cul-de-sacs; and

WHEREAS, The Utility is paying higher costs for the restoration of cuts within the public right-of-way; and

WHEREAS, These costs for restoration can be avoided if new water taps are installed before the pavement is placed; and

WHEREAS, The following procedures set out herein are established to efficiently and economically install new water service connections in proposed and newly developed subdivisions; now

THEREFORE, The Board of Public Works does hereby approve and adopt for use the attached "Policy and Procedure for Installation of Water Taps in Cul-De-Sac Streets".

Approved and adopted this 15 Day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

____
Linda Buskirk, Chairman
Board of Public Works

____
C. James Owen, Member
Board of Public Works

____
Terrance P. McCaffrey, Member
Board of Public Works

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

WI 81-239-17
2-15-95

SOUTHWEST SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-239-17

WHEREAS, The Board of Public Works established an area connection fee of **One Thousand Two Hundred Thirty-Six and 00/100 ($1,236.00) Dollars** per area for the Southwest Service Area by adopting Resolution No. 81-14-7 on February 2, 1994, and,

WHEREAS, Resolution No. 77-166-4 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 77-166-4 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the 1994 value of the Consumer Price Index for all Urban Consumers was 448.4; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the Southwest Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the Southwest Service Area will be adjusted for inflation from January, 1994 through December, 1994 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the Southwest Service Area will be set at **One Thousand Two Hundred Sixty-Nine and 00/100 ($1,269.00) Dollars** per net acre from February 15, 1995 to February 14, 1996.

POLICY AND PROCEDURE
FOR
INSTALLATION OF WATER TAPS
IN CUL-DE-SAC STREETS

A. POLICY STATEMENT:

Through the course of installation of water service connections for residential purposes on cul-de-sac streets in new subdivisions and in rapidly developing areas, the Utility is faced with higher costs for restoration. These restoration costs can be avoided if new water taps are installed before the pavement is placed. Therefore the following procedures set out herein are established to efficiently and economically install new water service connections in proposed and newly developed subdivisions.

B. DEFINITIONS:

APPLICANT means any person applying for water services; a prospective customer.

CURB BOX is a tubular cast iron appurtenance that is installed over the curb stop that allows access to the curb stop for turning on or shutting off water using a curb key.

CURB STOP, CURB COCK or SERVICE VALVE is a fitting inserted in the service pipe near the curb or main for turning on and shutting off water to the premises supplied or to be supplied.

DEVELOPER is a person or group of persons having interest, whether legal or equitable, sole or partial, either as tenant or owner, in any property which is to be developed and subsequentially sold or inhabited and includes any or all of the Developer's representatives (engineer, contractor, etc.).

PREMISES is a dwelling, building, structure or parcel of real estate which is normally supplied through a separate service pipe and meter installation.

RECORD ONLY TAP is a service connection that is installed prior to a service order being generated for service connection to a premises. This is a mechanism to track service connections that have been installed and do not require payment for the service connection.

SERVICE CONNECTION is that portion of a service pipe situated between and including the tap and the curb stop, which is installed and/or maintained by the Utility.

SHALL means mandatory; **MAY** means permissible.

TAP, CORPORATION STOP or CORPORATION COCK is a fitting owned by the Utility and inserted in the distribution main to which the service pipe is attached.

ADOPTED this 15 day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

By:

Linda Buskirk, Chairman

By: James Owen

C. James Owen, Member

By: Terry P McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

UTILITY is the Fort Wayne Water Utility, a department of the City of Fort Wayne, Indiana, having its principal office at One Main Street, City-County Building, Fort Wayne, Indiana and engaged in furnishing the public water supply in the City of Fort Wayne and its environs.

C. PROCEDURE:

1) Upon review of plans for proposed residential subdivisions, the Water Engineering Department will determine which necessary Record Only Taps need to be installed - those taps where removal and replacement of pavement would be required to install a water service. Size and location of corporation stop, curb stop and curb box to be determined by developer and to be shown on plans.

2) The Developer has the option of installing the taps prior to or after the distribution mains have been pressure tested and disinfected.

A) The service connection shall be inspected by a representative of the Utility at the time of the water main installation. If service connection(s) are to be made after the water main has been pressure tested and disinfected, the developer must notify the New Water & Sewer Permit Office to arrange for inspection of the service connection(s). If service connection(s) on water mains under pressure are not inspected, the developer will be responsible for the excavation and inspection of said service connections to check for leaks. Hours of inspection are from 8:00 a.m. to 3:00 p.m., prevailing local time, excluding weekends and holidays. There shall be a three (3) hour window in which the inspection of the service connection will take place after proper notification to the New Water & Sewer Permit Office.

3) The developer shall be responsible for providing to the Utility the measurements associated with the corporation stop and curb stop.

A) Property pins shall be exposed and flagged for accurate and easy measurements and to facilitate the proper location of the Corporation Stop, Curb Stop and Curb Box within the Right-of-Way.

B) Measurements for the Corporation Stop and Curb Stop shall be obtained by measuring the distance from each of the front property pins of the lot that the service tap is intended for.

4) The developer will cause to have installed a temporary monument to facilitate the location and to help prevent damage to the curb stop and curb box.

5) It will be the responsibility of the Developer to make sure that the depth and placement of the curb stop is in accordance with the General Rules and Regulations of the Utility along with the Standards and Specifications of the Utility.

6) The New Water & Sewer Permit office shall keep tap records on file for said affected lots and track them as "record only taps" and no fee for the tap shall be charged when an applicant applies for a new water service connection on the aforementioned lots.

7) If Developer does not cause to have the taps in the cul-de-sac installed, Water Maintenance and Service will install the taps only after the Owner or Developer has secured and paid for the necessary Tap Permit and Right of Way Cut Permit. The Owner/Developer shall be responsible for proper cut restoration.

8) If the applicant determines that the service connection is not in the correct location, or deems that the service connection is not sized correctly, Water Maintenance and Service will move or install a new service connection only after the Owner or Developer has secured and paid for the necessary Tap Permit and Right of Way Cut Permit. The Owner/Developer shall be responsible for proper cut restoration.

M1 81-239-16
2-15-95

NORTH MAUMEE SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-239-16

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Ninety-Nine and 00/100 ($999.00) Dollars** per area for the North Maumee Service Area by adopting Resolution No. 81-14-6 on February 2, 1994, and,

WHEREAS, Resolution No. 73-22-02 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 73-22-02 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the 1994 value of the Consumer Price Index for all Urban Consumers was 448.4; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the North Maumee Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the North Maumee Service Area will be adjusted for inflation from January, 1994 through December, 1994 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the North Maumee Service Area will be set at **One Thousand Twenty-Six and 00/100 ($1,026.00) Dollars** per net acre from February 15, 1995 to February 14, 1996.

81-239-15
2-15-95

JUNK DITCH SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-239-15

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Seventy and 00/100 ($970.00) Dollars** per area for the Junk Ditch Service Area by adopting Resolution No. 81-14-5 on February 2, 1994, and,

WHEREAS, Resolution No. 74-22-06 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-06 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the 1994 value of the Consumer Price Index for all Urban Consumers was 448.4; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the Junk Ditch Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the Junk Ditch Service Area will be adjusted for inflation from January, 1994 through December, 1994 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the Junk Ditch Service Area will be set at **Nine Hundred Ninety-Six and 00/100 ($996.00) Dollars** per net acre from February 15, 1995 to February 14, 1996.

ADOPTED this 15 day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

By:

Linda Buskirk, Chairman

By: Jim Owen

C. James Owen, Member

By: P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

ADOPTED this 15 day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

By:
Linda Buskirk, Chairman

By: James Owen
C. James Owen, Member

By: Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-239-14
2-15-95

SPY RUN SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-239-14

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Seventy and 00/100 ($970.00) Dollars** per area for the Spy Run Service Area by adopting Resolution No. 81-14-4 on February 2, 1994, and,

WHEREAS, Resolution No. 74-22-05 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-05 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the 1994 value of the Consumer Price Index for all Urban Consumers was 448.4; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the Spy Run Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the Spy Run Service Area will be adjusted for inflation from January, 1994 through December, 1994 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the Spy Run Service Area will be set at **Nine Hundred Ninety-Six and 00/100 ($996.00) Dollars** per net acre from February 15, 1995 to February 14, 1996.

M1 81-239-13
2-15-95

ST. JOE SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-239-13

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Seventy and 00/100 ($970.00) Dollars** per area for the St. Joe Service Area by adopting Resolution No. 81-14-3 on February 2, 1994, and,

WHEREAS, Resolution No. 74-22-04 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-04 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the 1994 value of the Consumer Price Index for all Urban Consumers was 448.4; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the St. Joe Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the St. Joe Service Area will be adjusted for inflation from January, 1994 through December, 1994 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the St. Joe Service Area will be set at **Nine Hundred Ninety-Six and 00/100 ($996.00) Dollars** per net acre from February 15, 1995 to February 14, 1996.

ADOPTED this 15 day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

By: ______________________

Linda Buskirk, Chairman

By: James Owen

C. James Owen, Member

By: Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

ADOPTED this 15 day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

By:

Linda Buskirk, Chairman

By: James Owen

C. James Owen, Member

By: Tommy P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

H1 81-239-12
2-15-95

ST. MARY'S SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-239-12

WHEREAS, The Board of Public Works established an area connection fee of **Eight Hundred Seventy-Nine and 00/100 ($879.00) Dollars** per area for the St. Mary's Service Area by adopting Resolution No. 81-14-2 on February 2, 1994, and,

WHEREAS, Resolution No. 77-58-26 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 77-58-26 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the 1994 value of the Consumer Price Index for all Urban Consumers was 448.4; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the St. Mary's Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the St. Mary's Service Area will be adjusted for inflation from January, 1994 through December, 1994 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the St. Mary's Service Area will be set at **Nine Hundred Two and 00/100 ($902.00) Dollars** per net acre from February 15, 1995 to February 14, 1996.

MI 81-235-11
2-8-95

IMPROVEMENT RESOLUTION NO. 6359-94
1994 MISCELLANEOUS CONSTRUCTION PACKAGE #4
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1. 920 W. Sherwood Terrace (Lot #82 Southwood Park Addition Section 6) - Replacement of Walk
2. 3610 South Harrison St. (Lot #202 Dreibelbiss 1st Addition) - Replacement of Walk
3. 343 W. Taber St. (East 50 ft. of Lot #1 Block #2, Williams Woodland Park Amended Addition) - Replacement of Curbface Walk and adjacent Alley Approach
4. 1718 Spring St. (North Highlands Addition Plat A, Lot #108 Block #12) - Replacement of Walk and Drive Approach
5. 1637 Rosemont Dr. (Lot #46 & East 4 ft. of Lot 47) Replacement of Walk
6. 123 Edgewood Avenue (Irvington Park Addition Lot #1, Block #5 & 1/2 Vacated Alley on West and South 20 ft. Lot #2) - Replacement of Walk

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 8 day of FEBRUARY , 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

ADOPTED this 15 day of FEBRUARY, 1995.

BOARD OF PUBLIC WORKS

By:
Linda Buskirk, Chairman

By: James Owen
C. James Owen, Member

By: Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

MI 81-229-5
2-1-95

IMPROVEMENT RESOLUTION NO. 6367-95
SUB-AREA CAPITAL IMPROVEMENT PACKAGE 94/A
FAIRFIELD AVE: W. JEFFERSON TO BRACKENRIDGE
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

FAIRFIELD AVENUE FROM WEST JEFFERSON TO BRACKENRIDGE BY RECONSTRUCTION OF SIDEWALKS, CURBS, DRIVEWAY APPROACHES, CURB RAMPS, YARDWALKS, REHABILITATION OF STORM SEWER STRUCTURES AND MULCHED SEEDING RESTORATION.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 1ST **day of** FEB **, 19**95.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

Jim Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

MI 81-229-4
2-1-95

IMPROVEMENT RESOLUTION NO. 6360-94
MAYWOOD CIRCLE STREET RECONSTRUCTION:
FAIROAK DRIVE TO INTERLAKEN DRIVE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

MAYWOOD CIRCLE FROM FAIROAK DRIVE TO INTERLAKEN DRIVE BY RECONSTRUCTING THE EXISTING ROADWAY WITH NEW BITUMINOUS PAVEMENT, CONSTRUCTION OF NEW CURBING, RECONSTRUCTING THE DRIVE APPROACHES AND REHABILITATION OF THE EXISTING STORM STRUCTURE SYSTEM.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 50% on the real estate abutting on said improvements as above described and 50% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 1ST day of FEB, 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk
Director of Public Works

C. James Owen

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick
Secretary and Clerk

HI 21-229-3
2-1-95

IMPROVEMENT RESOLUTION NO. 6366-95
MAXINE DRIVE IMPROVEMENTS: BEAVER AVE. TO LEXINGTON AVE.
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

MAXINE DRIVE FROM BEAVER AVENUE TO LEXINGTON AVENUE BY RECONSTRUCTING THE CURBING, SIDEWALKS, DRIVEWAY APPROACHES, YARDWALKS, CURB RAMPS AND REHABILITATING THE STORM SEWER STRUCTURES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 1ST day of FEB, 1995

BOARD OF PUBLIC WORKS

Linda Buskirk
Director of Public Works

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST:
Patricia J. Crick
Secretary and Clerk

41 81-224-3
2-1-95

IMPROVEMENT RESOLUTION NO. 6363-95
COTTAGE AVENUE IMPROVEMENTS:
SOUTH WAYNE AVENUE TO INDIANA AVENUE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

SOUTH SIDE OF COTTAGE AVENUE FROM SOUTH WAYNE AVENUE TO INDIANA AVENUE BY RECONSTRUCTING THE CURBS, SIDEWALKS, YARDWALKS AND CORNER WINGWALKS AS NEEDED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 1ST day of FEB. , 1995

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

Terry P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

MI 81-225-9
1-25-95

IMPROVEMENT RESOLUTION NO. 6365-95
RUDISILL BLVD. IMPROVEMENTS: SMITH ST. TO ANTHONY BLVD.
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

RUDISILL BLVD. FROM SMITH ST. TO ANTHONY BLVD. BY ASPHALT OVERLAY REMOVAL, BITUMINOUS RESURFACING, PAVEMENT MARKINGS, CURB RAMP CONSTRUCTION, SPOT CURB/DRIVEWAY APPROACH RECONSTRUCTION AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 25 day of JAN., 1995.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen
C. James Owen
Member

Terrance P. McCaffrey
Terrance P. McCaffrey
Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 31-220-6
1-18-95

IMPROVEMENT RESOLUTION NO. 6364-95
BEAVER AVENUE IMPROVEMENTS:
COTTAGE AVE. TO WILDWOOD AVE.
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE WEST SIDE OF BEAVER AVENUE FROM COTTAGE AVENUE TO WILDWOOD AVENUE AND ON COTTAGE AVENUE AND WILDWOOD AVENUE FROM THE BACK EDGE OF SIDEWALK ON BEAVER AVENUE TO A POINT 40 FT. ± WEST THERE OF BY RECONSTRUCTING THE EXISTING SIDEWALKS, YARDWALKS, DRIVEWAY APPROACHES, CORNER WINGWALKS AND ALLEY APPROACHES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on for sidewalks, yardwalks and driveway approaches and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 18 day of JAN, 1995

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-205-17
12-21-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-205-17

RESOLUTION APPROVING THE ACQUISITION OF REAL ESTATE AND ESTABLISHING THE ACQUISITION AMOUNT

Whereas, the Board of Public Works desires to acquire certain lands in the City of Fort Wayne for the purpose of enabling the City's Division of City Utilities to undertake capital improvements to its water filtration plant; and

Whereas, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting said acquisition; and

WHEREAS, the Board of Public Works has identified two parcels of real estate for acquisition for the purposes stated herein, which real estate is more particularly described as follows:

Parcel 1: Lot 68, commonly known as 1130 Spy Run Avenue; and

Parcel 2: The North Fractional Part of Lot 67, commonly known as 1206 Spy Run Avenue, all in Baltes and Romy's Addition to the City of Fort Wayne, Indiana

WHEREAS, the Board of Public Works has retained two independent, state-licensed MAI appraisers for the purpose of determining the market value of the real estate; and

WHEREAS, in accordance with Indiana statute, the maximum offering price for each parcel shall be no more than the average of the two appraisals; and

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The real estate herein identified is approved for acquisition.
2. The maximum offering price for the real estate is hereby established as the average of two appraisals: $48,750 for Parcel 1, and $19,000 for Parcel 2.

Resolved this 21 day of December, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-204-4
12-21-94

IMPROVEMENT RESOLUTION NO.6361-94
LINCOLNSHIRE ADDITION IMPROVEMENTS - PHASE II
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CONCORD LANE FROM FAIRFIELD AVENUE TO CALHOUN STREET: CURBFACE WALKS, DRIVEWAY APPROACHES, SUB-SURFACE DRAINAGE, MILLING AND RESURFACING

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 21 day of DEC. , 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-189-19
11-23-94

EMERGENCY RESOLUTION NUMBER 81-189-19

WHEREAS, the City of Fort Wayne, Indiana Solid Waste Manager's Department has determined that 113 alleys have obstructed right-of-ways thus not permitting accessibility for garbage removal vehicles, and

WHEREAS, the Solid Waste Manager's Department desires to hire a private company to clear brush and trim tree branches in the right-of-way of designated alleys in the City of Fort Wayne, and

WHEREAS, the completion date for this project is December 30, 1994, and

WHEREAS, an emergency exists for immediate clearing of brush and trimming of tree branches;

WHEREAS, the Solid Waste Manager's Department has distributed specifications to a number of tree trimming and landscaping services, and quotes were received from D & L Lawn & Tree, Inc - $15,550.00, Douglas Tree Service - $11,300.00, Galbraith's - $12,200.00, Green Grow - $16,750.00, Harlow Enterprises, Inc. - $16,240.00, Mainscape Landscape Management Services - $22,600.00, Maxwell Tree Expert Co., Inc. - 12,110.00, Pence Tree Service - $5,830.00 and Siebold-Price Tree and Landscape Co. - $7,350.00

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to clear brush and trim tree branches in the right-of-way of 113 alleys.

APPROVED THIS 23 DAY OF NOVEMBER, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

M1 81-188-10
11-23-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-188-10

RESOLUTION FOR THE ACQUISITION OF REAL ESTATE ("OLD FORT" AND RELATED LAND HOLDINGS)

Whereas, the Allen County-Fort Wayne Historical Society (Society) is a not-for-profit organization which until recently operated a "living history" museum located in a reproduction of Fort Wayne's original garrison (Old Fort), and for such purposes owned land (Real Estate) along the St. Marys River and on the east side of Spy Run Avenue, which Real Estate is described in the attached Exhibit A; and

Whereas, faced with a steep decline in patronage and burdensome operating costs, the Society decided in late 1993 to close the Old Fort; and

Whereas, the Society has approached the City of Fort Wayne offering to donate the Real Estate to the City, if, in exchange, the City were willing to assume the debt currently associated with the property; and

Whereas, the City of Fort Wayne desires to acquire the Real Estate for the purpose of flood control and the eventual use of parts thereof for a park, capital improvements to its water treatment facility, and various other public uses as may be deemed appropriate; and

Whereas, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting said acquisition; and

WHEREAS, the Board of Public Works has employed the Redevelopment Commission (Commission) as its agent in the negotiation for and acquisition of said Real Estate, environmental survey, title work and other functions in aid of acquisition; and

WHEREAS, the Commission has retained two independent state licensed MAI appraisers for the purpose of determining the market value of the Real Estate, and said appraisers have determined that the value of the Real Estate exceeds the amount of the debt against it; and

WHEREAS, the Commission is endeavoring to have the debt against the Real Estate reduced or forgiven entirely.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The Real Estate herein identified is approved for acquisition.

2. The City's cost to acquire said Real Estate is hereby established as an amount not to exceed the debt outstanding against the property, which amount is $29,000.

Resolved this 23 day of November, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

EXHIBIT A

Tract I

Lot 1 in vacated Eliza K. Bossler's Subdivision of Part of Lot Number 5 of Well's Reserve, except the East 30 feet of the North 60 feet and except the North 10 feet of the West 10 feet of said Lot; and

Lots 2, 3, 4 and the east 5.5 feet of Lot 5 in vacated Eliza K. Bossler's Subdivision of Part of Lot Number 5, of Well's Reserve except the North 10 feet thereof, and 1/2 vacated Bossler Avenue; and

Lots 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 in Eliza K. Bossler's Subdivision of Part of Lot Number 5 of Well's Reserve together with 1/2 the abutting alley, and vacated River Street; and

Lots number 3 and Lot 4 of Bossler's Addition to the city of Fort Wayne except the West 45 feet of the North 8 feet of said Lot 4, together with 1/2 the abutting vacated alley; and

Lots 69, 70, 71, 72, and 73 in Baltes and Romy's Addition to the City of Fort Wayne; and

A part of Lot No. 5 in Wells Reserve located in Township 30 North, Range 12 East, in the City of Fort Wayne, Indiana, described more particularly as follows, to-wit:

Beginning at a point on the west line of Spy Run Avenue where the same is intersected by the north line of a ten foot alley which alley leads directly west into a platted Street known as Bossler Avenue in the plat of Eliza Bossler's Subdivision to the City of Fort Wayne, Indiana, this point being the southeast corner of real estate herein described; thence north along the west line of Spy Run Avenue, distance 36 feet; thence west along a line running parallel with the north line of the alley heretofore mentioned, a distance of 142.0 feet; thence in a north westerly direction to a point on the east line of Lot No. 1 of Eliza Bossler's Subdivision to the City of Fort Wayne, which point is located 43 feet north of the southeast corner of said Lot No. 1, a distance of 12 feet; thence south along the east line of said Lot No. 1 Eliza Bossler's Subdivision, a distance of 43 feet to the north line of the 10 foot alley heretofore mentioned; thence east along the north line of said alley, a distance of 151.5 feet to the point of beginning; and 1/2 the abutting alley above described; and

The real estate north of the parcel conveyed by Historic Fort Wayne, Inc. to the Allen County-Fort Wayne Historical Society, Inc. dated August 12, 1987, and recorded at document number 87-41643, between the east line of Barr Street and the St. Marys River, which real estate is also described as follows:

Beginning on the east right-of-way of Barr Street at a point 1099.1 feet N 11°-37'W from the point of intersection of said east right-of-way line with the north right-of-way line of Superior Street; thence N 11°-37'W on and along said east right-of-way line extended to the west bank of the St. Marys River, thence following the meanderings of the west bank of the St. Marys River east and south to a point 186.7 feet N 85°-43'E of the place of beginning, being the northeast corner of the

parcel conveyed in document 87-41643, thence 186.7 feet S 85°-43'W to the place of beginning;

Tract II

Lots 5, 6, and 7 and the West 45 feet of the North 8 feet of Lot 4 in Bossler's Addition to the City of Fort Wayne; and

Lots 1, 2, 3, 4, 5, 6, 7, and 8 in Bobilya's Subdivision to the City of Fort Wayne; and

Lot 6 and Lots numbered 7 to 11 inclusive in Eliza K. Bossler's Subdivision a Part of Lot number 5 of Well's Reserve, and 1/2 of vacated Bossler Avenue; and

A part of Lot Five (5) Wells Reserve described as follows:

Commencing at the Northeast corner of Lot Numbered Eight (8) Bobilya's Subdivision of Bossler's Addition to the City of Fort Wayne; thence North along the West line of Spy Run Avenue 70 feet; thence West parallel to the North line of said Lot Numbered Eight (8), 150 feet; thence South parallel with the West line of Spy Run Avenue 70 feet; thence East along the North line of said Lot Numbered Eight (8) to the place of beginning; together with 1/2 the abutting vacated alley; and

The real estate situated North of the twenty-six (26) foot Northern boundary line of the parcel of real estate conveyed by Northern Indiana Public Service Company, an Indiana corporation, to Donald D. Hall by Warranty Deed dated August 12, 1955, and recorded in Deed Record 500, pages 492-4, Office of the Recorder of Allen County, and between the East line of Barr Street projected North to the St. Marys River, and the Westerly Bank of the St. Marys River, all in the City of Fort Wayne, County of Allen, State of Indiana, which real estate is also described as follows:

Part of Section 2, Township 30 North, Range 12 East, in the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning on the East right-of-way line of Barr Street at a point situated 766.9 feet, N 11°-37'W from the point of intersection of said East right-of-way line with the North right-of-way line of Superior Street; thence N 11°-37'W, on and along said East right-of-way line, a distance of 332.2 feet; thence N 85°-43'E, a distance of 186.7 feet to a point on the Westerly bank of the St. Marys river; thence S 15°-41'W, on and along said Westerly bank, a distance of 347.0 feet; thence S 78°-23'W, a distance of 26.0 feet to the point of beginning, containing 0.798 acres of land, subject to all easements of record each of the foregoing tracts includes.

H1 81 180-13
11-9-94

IMPROVEMENT RESOLUTION NO.6350-94
DODGE AVENUE - WOODWARD AVENUE TO CAREW STREET PHASE II
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

DODGE AVENUE FROM WOODWARD AVENUE TO CAREW STREET BY REPLACING CURBS, DRIVEWAY APPROACHES, SUB-SURFACE DRAINAGE AND STREET RECONSTRUCTION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed **50%** on the real estate abutting on said improvements as above described and **50%** upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 9th day of Nov., 19 94.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-170-11
10-26-94

RESOLUTION NO. 81-170-11

A RESOLUTION authorizing appropriation of additional monies into depleted accounts for the 1994 Budgets of various funds and departments of City Utilities, reducing the unappropriated and unobligated balance of the particular fund involved as required to meet obligations for the remainder of 1994.

WHEREAS, the budget adjustment policy of the City of Fort Wayne stipulates that all Departments shall submit requests to the Controller quarterly for appropriation of additional monies to the 1994 budgets of various departments to provide sufficient operating funds for the remainder of 1994;

WHEREAS, adequate funds exist in the unappropriated and unobligated balance of the funds specified and in the appropriations of certain departments as specified; and

WHEREAS, such appropriations and transfers have been recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

ADDITIONAL APPROPRIATIONS

FUND	DEPARTMENT	INCREASE	AMOUNT
Sewer	Administration	4423	$220,000.00

Linda Buskirk
Linda Buskirk, Chairman
Board of Public Works

C. James Owen, Member
Board of Public Works

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

10/26/94

H1 81-170-10
10-26-94

EMERGENCY RESOLUTION NUMBER 81-170-10

WHEREAS, an existing 21" sanitary sewer East of the Outback Steakhouse and North of Community Drive has partially collapsed and is restricting the normal flow of sewage, and;

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action, and;

WHEREAS, repair of the sewer is beyond capability of the Water Pollution Control Maintenance Department to perform, and;

WHEREAS, Dehner Construction, Inc., Crosby Excavating, Inc., T & G Inc., and Liberty Construction, Inc., were invited to submit quotes on the repair, and;

WHEREAS, the cost of said repair could exceed One Hundred Thousand Dollars and Zero Cents, ($100,000.00).

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 26 day of OCTOBER, 1994.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By James Owen
C. James Owen, Member

By

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

HI 81-166-7
10-19-94

IMPROVEMENT RESOLUTION #6358-94
TOWER HEIGHTS ADDITION CONCRETE REPAIRS
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CHOCHTIMAR TRAIL - LINDENWOOD AVENUE TO TRENTON COURT - PARTIAL CONCRETE PAVEMENT RESTORATION

2810 COVENTRY AVENUE - PARTIAL CURB RECONSTRUCTION

2809 COVENTRY AVENUE - PARTIAL CURB RECONSTRUCTION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 19 day of OCTOBER, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

BID

CONTRACTOR:

PROJ: TOWER HEIGHTS CONCRETE REPAIR RES. NO: 6358-94

ITEM NO.	ITEM	QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)
1.	Pavement Removal	1350	SY		
2.	Curb Removal	70	LF		
3.	Plain Concrete Pavement 6″	1350	SY		
4.	Concrete Curb Type I-B	70	LF		
5.	Concrete Removal	30	SY		
6.	Concrete Sidewalk	30	SY		
7.	Anchor Bolts	80	EA		
8.	Compacted Aggregate No. 53	295	TON		
9.	Adjust Casting to Grade	1	EA		
10.	Backfill Behind Curbs	44	TON		
11.	Fine Grade, Seed & Mulch	195	SY		
12.	Top Soil	22	TON		
13.	Mobilization & Demobilization	1	LS		
14.	Type II Barricades	20	EA		
15.	Type "A" Signs	7	EA		
16.	Maintenance of Traffic	1	LS		

SHEET 1 OF 1

TOTAL: __________

Note: Contractor will be paid on measured quantities only at unit price bid

MI 81-166-6
10-19-94

IMPROVEMENT RESOLUTION #6357-94
WOODHURST NEIGHBORHOOD MISCELLANEOUS CONCRETE REPAIR
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

5100 BLOCK OF OLD MILL ROAD BY THE RECONSTRUCTION OF EXISTING PAVEMENT WITH NEW CONCRETE PAVEMENT AS NEEDED AND ALSO BY RECONSTRUCTING SEVERAL CORNER WINGWALKS IN THE WOODHURST NEIGHBORHOOD.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 19 day of OCTOBER, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

M1 81-163-24
10-12-94

RE: EBE CERTIFICATION FOR FORT WAYNE OUTSOURCE, INC.

I. STATEMENT OF FACTS

Fort Wayne Outsource, Inc. has been a certified Emerging Business Enterprise during the years 1992 and 1993 based on its application stating that it was a newly formed business to obtain and provide laborers to various contractors.

Upon the expiration of the certification in 1994, a new certificate was sought and the Department of Contract Compliance, the certifying entity, declined to certify the company as a EBE. Fort Wayne Outsource, Inc. is an Indiana corporation of which 100% of the stock is owned by Shirley Evans.

II. FINDINGS

Based on testimony presented before the Board of Works, convened in hearing, which testimony was given under oath and based on exhibits provided both by the Contract Compliance Department of the City of Fort Wayne and by applicant we find the following facts:

A. Applicant did go through the formalities of creating an entity on paper as evidenced by the corporate articles and the certificate of incorporation as well as by filing relevant income tax returns.

B. Beyond the formalities however, we find the applicant has failed to produce credible evidence of the existence of a viable business enterprise.

C. Applicant attempted to support her case primarily through documents and her attorney's statements. We find applicant's direct testimony under oath to be inconsistent, evasive and incredible. For example, she affirmed that Fort Wayne Outsource had been her sole source of income during 1992, 1993 and 1994

and submitted tax returns to support that conclusion. Her 1992 tax return showed, however, independent consulting income while the only income attributable to Outsource was a loss.

When the inconsistency between her testimony and documents was noted, applicant was unable to explain the source of the consulting income. A week later, however, she explained through a letter from her attorney that the consulting income was earned by her as a fill-in temporary clerical person for an unnamed business - exactly the sort of service her corporation was to provide. Nevertheless applicant did not even use her company to provide her own services. We find this scenario indicates applicant herself did not even take the existence of Fort Wayne Outsource, Inc. as serious business.

D. We further find that the conduct of Shirley Evans, the sole owner of applicant, and the totality of facts presented demonstrate that the company is not a viable entity.

1. We find that at the height of the construction season, applicant's principal absented herself from her house (the alleged site of her office) for a period of six (6) weeks. Although applicant's principal testified that she checked her answering machine daily and returned calls regularly, the contact log submitted by the Compliance Department shows failure to return calls from the Compliance Department for as long as a week.

2. Applicant's principal testified that her only significant jobs were for contractors (Mergy Construction) on City projects. Payment for such projects is dependant on clearance by the Compliance

Department. We find her failure to follow up on a timely basis contacts from the department demonstrates either a detachment from or indifference to regular business practices belying true management involvement by applicant's sole principal.

E. We find that, although the job description introduced by applicant's principal charges her with knowledge and control of basically all of the corporate functions, Shirley Evans demonstrated almost complete unfamiliarity with the details of the business.

1. Almost every request for information from the Compliance Department was met by a need to check further and Evans constantly had to have help finding information which should have been at her finger tips according to her job description.

2. Evans has never been able to explain her contract and basis for charges to Mergy Construction, her sole customer.

3. When asked to provide evidence of her corporate payroll on one job, she provided the entire Mergy payroll figures rather than her own and seemed unaware of the difference.

F. Applicant has described its business as a temporary labor contractor. We take notice that the normal billing practices for such contractors is to bill clients according to the hours worked by furnished employees. The following chart clearly demonstrates that the billings are not related at all to hourly services. (Applicants share of the contract price varied in a 3 per cent range while payments based on hours of labor furnished varied by as much as $56 per hour.

Outsource/ Mergy Billing Analysis

JOB	CONTRACT PRICE	OUTSOURCE PRICE	OUTSOURCE PER CENT	PROJECT HOURS	OUTSOURCE HOURS	OUTSOURCE HOURLY COMP
Water cuts	$80,908.00	$8,135.00	10.05%	263	105	$77.48
Butler st	$20,253.95	$2,000.00	9.87%	101.5	52.5	$38.10
St Joe River	$16,678.00	$2,107.07	12.63%	82	46	$45.81
kinnard Ave	$14,965.00	$1,600.00	10.69%	68.5	68.5	$23.36
Lillie/Reed	$141,090.39	$16,000.00	11.34%	704.5	538.5	$29.71
Water cuts	$39,699.09	$4,050.00	10.20%	145.5	145.5	$27.84
Calhoun Alley	$20,844.99	$2,100.00	10.07%	97	97	$21.65

We find that the billing practice supports the conclusion that the mission of applicant was not to provide services but to enable Mergy to meet its 10% quota for emerging business enterprises.

G. While a certain informality in the conduct of a newly created business is expected, including the use of home offices, this case takes informality to incredible lengths.

1. We find that applicant failed to conduct interviews on the premises.

2. We find that based on applicant's own testimony even her neighbors did not know anyone was occupied the house/office because of the long period of abandonment coupled with a for sale sign.

3. We find that until shortly before a meeting with Compliance personnel, applicant maintained few if any records at the location.

H. We find that there has been no attempt by applicant to move the company away from dependance on Emerging Business Enterprise status.

The purpose of the Emerging Business Enterprise program is to enable companies to get started and become viable businesses not to become permanent EBEs. In fact, there is a ten (10) year maximum limit during which a company can be an Emerging Business Enterprise.

1. In nearly three (3) years, we find that applicant has made no serious attempt to increase her viability by broadening customer base beyond City contractors.

CONCLUSION

Based on the foregoing findings of fact, we find that the applicant has failed to credibly demonstrate the existence of a viable business enterprise and that the refusal by the Department of Contract Compliance to certify applicant as an EBE contractor should be, and the same is, hereby sustained.

Fort Wayne Board of Works

By: Linda Buskirk
Linda Buskirk, Chairman/Director
Fort Wayne Board of Works

By: James Owen
C. James Owen, Member
Fort Wayne Board of Works

Dated this 12th day of October, 1994.

HI 81-161-9
10-12-94

STREET LIGHT RESOLUTION

NUMBER 238-94

(B.L. #50015)

WESTWOOD NORTH STREET LIGHT IMPROVEMENT

The Board of Public Works of the City of Fort Wayne, Indiana, having been petitioned by certain property owners of Westwood North, hereby deems it necessary to install an underground ornamental street light system in Westwood North; more specifically defined as; Westwood North Section I, containing Lots #1 thru #17; and Westwood North Section II, containing lots #18 thru #52 and a common area between Lots #28 and #52; and Westwood North Section III, containing Lots #53 thru #66 and Blocks "A", "B", "C", and "D", all in accordance with the plans and specifications on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, and such lighting is now ordered. This improvement is ordered pursuant to the applicable Indiana Statutes.

A maximum of sixty percent (60%) of installation costs shall be assessed upon real estate abutting the above described streets. The balance of the project cost shall be assessed upon the City of Fort Wayne, Indiana and to be paid by 1994 C.E.D.I.T. Funds. Assessments, if deferred, are to be paid in ten (10) equal installments, with interest at seven percent (7%) per annum and shall be financed by the Barrett Law Revolving Improvement Fund, as provided for in the Indiana Statutes. All proceedings and any work done in said lighting assessment of property and collection of assessments shall be as provided for in said above entitled acts and all amendments thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen
Board Member

ATTEST:

Patricia J. Crick
Patricia J. Crick, Clerk

Dated This 12th Day of October 1994

H1 81-161-8
10-12-94

NORTH SCHOMBURG DRIVE/CLEAR STREET
WATER MAIN EXTENSION
RESOLUTION 1063-94

RESOLVED by the Board of Public Works that it is deemed necessary to construct:

> **A water main on the south side of North Schomburg Drive from the west side of Dells Avenue westerly to the west side of Clear Street; also, on the west side of Clear Street from an existing water main southerly 55± L.F.**

And said improvements with all appurtenances, shall be constructed in accordance with the plans, profiles, and specifications now on file in the Department of the Board of Public Works of said City.

The cost of said water system project shall be paid and shared by the City of Fort Wayne and by the benefited property owners.

The property holders share of said improvement shall be apportioned against and paid by the said property holders benefited by said improvements all according to the method and manner provided for in the Acts of the General Assembly of the State of Indiana.

Assessments, if deferred, are to be paid in ten equal installments with interest at a rate of **seven (7%) percent per annum,** and shall be financed under Revolving Barrett Law Funds as provided for in the above-entitled acts and all amendments thereto and supplemental thereof.

ADOPTED THIS 12 **DAY OF** OCTOBER**, 1994.**

Board of Public Works

BY: Linda Buskirk
Linda Buskirk, Chairman

BY:
C. James Owen, Member

BY: James Owen
Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

APPROVED as to form and legality by ____________________
Attorney-at-Law.

H1 81-161-7
10-12-94

HACIENDA VILLAGE SANITARY SEWER
PHASE II - SECTION II
RESOLUTION 528-1994

RESOLVED by the Board of Public Works that: The construction of a sanitary sewer intended and adapted for local use by the property holder(s), whose property abuts thereon and for receiving sewage from collateral drains be and the same is hereby ordered in and along the following described locations:

LATERAL #1-A

Beginning at an existing sanitary sewer manhole on Spanish Trail 350± L.F. South of Stellhorn Road; Thence Easterly serving the properties of 4312 Spanish Trail; 8536, 8560, 8604, 8628, and 8634 Stellhorn Road; 4231 Cadena Court; 8519, 8521, 8543 and 8603 Fiesta Way.

LATERAL #1-B

Beginning at an existing sanitary sewer manhole in an easement near the Southeast corner of 8728 Stellhorn Road; Thence Westerly serving the property at 8728 Stellhorn Road.

LATERAL #1-C

Beginning at an existing sanitary sewer manhole on Spanish Trail 350± L.F. South of Stellhorn Road; Thence Westerly serving the properties of 4227 and 4311 Spanish Trail; 8438, 8416, 8360, 8302 and 8232 Stellhorn Road.

LATERAL #1-D

Beginning at an existing sanitary sewer manhole in an easement near the Northwest corner of 8757 Stellhorn Road; Thence Easterly serving the properties of 8815, 8839, 8859, 8911, 8931 and 8951 Stellhorn Road.

LATERAL #2

Beginning at an existing sanitary sewer manhole on Spanish Trail near the Northwest corner of 4050 Spanish Trail; Thence Easterly along Encanto Way serving the properties of 4050 Spanish Trail; 8515, 8524, 8527, 8536, 8539, 8609, and 8621 Encanto Way.

LATERAL #3

Beginning at an existing sanitary sewer manhole on Spanish Trail near the Northwest corner of 8510 Fiesta Way; Thence Easterly along Fiesta Way serving the properties of 8520,8532, 8544, 8604 and 8612 Fiesta Way.

Said sewer, with all its appurtenances shall be constructed in accordance with City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sanitary sewer improvement shall be paid by the benefitted property owner(s) and by the City of Fort Wayne through its Sewer Utility Fund all in accordance with Resolution No. 78-34-4.

H1 81-156-6
10-5-94

IMPROVEMENT RESOLUTION #6356-94
CRESTWOOD COLONY IMPROVEMENTS - PHASE I
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

TULIP TREE ROAD FROM 1000 BLOCK TO 1600 BLOCK BY RECONSTRUCTING STREET, SIDEWALKS AND CURB RAMPS. ALSO TO ADJUST STORM SEWER STRUCTURES WITH RESTORATION OF PARKSTRIPS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 5 day of OCTOBER, 19 94.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

ADOPTED this 12 day of OCTOBER, 1994.

BOARD OF PUBLIC WORKS

By Linda Buskirk
Linda Buskirk, Chairman

By James Owen
C. James Owen, Member

By__________________________

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

This instrument prepared by: Patrick W. Callahan, Assistant Chief Engineering/Sanitary

HI 81-156-5
10-5-94

IMPROVEMENT RESOLUTION #6353-94
1994 MISCELLANEOUS CONCRETE REPAIR - PACKAGE #3
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1) **WINDRUSH DRIVE AT MIDNIGHT PASS BY REPLACING CONCRETE STREET AND RECONSTRUCTING CURB RAMPS.**

2) **ST. MARY'S AVENUE BY RECONSTRUCTING CURB RAMPS AND DRIVEWAY APPROACH**

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 5 day of OCTOBER, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-152-7
9-28-94

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS
EMERGENCY RESOLUTION 81-149-7

WHEREAS, the Three Rivers Filtration's Plant #1 was constructed in 1933; and

WHEREAS, the aforementioned Plant has deteriorated to the extent that a section of weirs in the Plant #1 west clarification tank has broken loose and fallen; and

WHEREAS, the Three Rivers Filtration Plant Maintenance staff have constructed temporary repairs to avert a shortage of water during last summers high pumpage; and

WHEREAS, McNamee, Porter & Seeley have engineered and designed permanent repairs to the aforementioned tank; and

WHEREAS, the Water Engineering department has solicited quotes from Indiana Construction Corp., Dehner Construction, Martin Inc., and W.G. Brudney Construction; and

WHEREAS, Indiana Construction Corp., and Dehner Construction submitted quotes in the amount of $178,000.00 and $194,975.00 respectfully; and

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to request the Purchasing Department to issue a purchase order to Indiana Construction Corp. for the needed repairs as specified in the bid documents #94-W-01.

Approved and adopted this 28 day of SEPTEMBER, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman
Board of Public Works

James Owen
C. James Owen, Member
Board of Public Works

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

H1 81-146-11
9-21-94

IMPROVEMENT RESOLUTION #6355-94
CROWN COLONY IMPROVEMENTS - PHASE I
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

CHADWICK DRIVE FROM RICHFIELD LANE TO STRATHDON DRIVE FOR THE PURPOSE OF CONCRETE STREET RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 21 day of SEPT., 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

A1 81-143-26
9-14-94

A RESOLUTION of the City of Fort Wayne Board of Public Works authorizing an extension of the term of the franchise granted to Comcast Cablevision of Indiana, L.P. to operate a cable communications system in the City of Fort Wayne, Indiana.

Resolution No. 81-143-26

WHEREAS, on or about July 19, 1978, the City of Fort Wayne, Indiana (the "City") awarded a cable television franchise ("Franchise") to Citizens Cable of Fort Wayne, Indiana, which was subsequently transferred to Comcast Cablevision of Indiana, L.P. ("Comcast") for a term of 15 years; and

WHEREAS, the City and Comcast began discussions on renewing the Franchise in 1993; and

WHEREAS, the City has thrice extended the Franchise to accomodate the ongoing Franchise Renewal negotiations; and

WHEREAS, the most recent Franchise extension, approved by Board of Public Works Resolution 80-265-6, expired on August 19, 1994; and

WHEREAS, the City and Comcast desire to extend the term of the Franchise to allow time to complete the renewal process; and

WHEREAS, the City acknowledges that Comcast will not, by virtue of accepting an extension of the Franchise term, waive any of its renewal rights under Section 626(a) through Section 626(g) of the Cable Communications Policy Act of 1984, as amended;

NOW, THEREFORE, the Board of Public Works hereby resolves that:

1. Comcast is authorized to operate the cable television system in Fort Wayne, in full compliance with all of the terms and conditions of the Franchise, for a period commencing on the expiration date of the Franchise as previously extended (August 19, 1994), and continuing through either the date on which the Franchise is renewed, or June 1, 1995, whichever shall first occur;

2. During said period, the City and Comcast shall have all of the rights and obligations of "City" and "Grantee", respectively, under the Franchise;

3. During said period, the City and Comcast shall work together in good faith to renew the Franchise;

4. This Resolution shall become effective upon the occurrence of the following conditions: 1) Adoption by the Fort Wayne Board of Public Works; 2) Adoption by the Fort Wayne Common Council; 3) Comcast's acceptance of the extension of the Franchise as provided in this Resolution for the term specified in paragraph (1) above, provided Comcast accepts the Extension within seven (7) days from the date this Resolution is adopted by the Fort Wayne Common Council.

Adopted by the Board of Public Works this 14 day of September, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST:

Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-142-19
9-14-94

FORT WAYNE BOARD OF PUBLIC WORKS

RESOLUTION

Whereas, the City of Fort Wayne Fire Department is constructing a new fire station to be known as Fire Station 13 on North Clinton Street, just south of the Maple Holland School; and

Whereas, during construction of said fire station it has been determined that the City of Fort Wayne needs to acquire certain sanitary/sewer easements from the Fort Wayne Community Schools, owners of the property immediately north of the fire station; and

Whereas Fort Wayne Community Schools needs to acquire storm/sewer easements across from the land owned by the City of Fort Wayne.

Now therefore be it resolved as follows:

1. The Fort Wayne Board of Public Works hereby approve the attached agreements for easements between the City of Fort Wayne and the Fort Wayne Community Schools, which easements are attached as Exhibits "1" and "2" and incorporated herein.

Linda Buskirk

Linda Buskirk, Chairman,
Fort Wayne Board of Public Works

James Owen

C. James Owen, Member,
Fort Wayne Board of Public Works

Approved 9-14-94

H1 81-142-18
9-14-94

BILL NO. **RESOLUTION NO.** 81-142-18

A RESOLUTION authorizing the transfer of funds between certain accounts within the 1994 budgets of certain City Departments and additional appropriations and disappropriations.

WHEREAS, it has become necessary to transfer funds to certain accounts in the 1994 budgets of certain accounts of the respective City Departments and it has become necessary to make additional appropriations and disappropriations; and

WHEREAS, adequate funds exist in certain accounts of the respective City Departments; and

WHEREAS, such transfers, additional appropriations and disappropriations have been recommended by the City Controller.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

TRANSFERS Within Department

FUND	**DEPARTMENT**	**INCREASE**		**DECREASE**	
Administrative	Meter Reading	4138	$2,500	4365	$2,500
Administrative	Administrative	4299	$1,400	4334	$1,400
	Administrative	4213	$1,600	4322	$1,600
Administrative	GIS	4213	$3,500	436A	$3,500
			$9,000		$9,000

ADDITIONAL APPROPRIATIONS

FUND	**DEPARTMENT**	**INCREASE**	
Water	Administration	4253	$55,000
Water Pollution Control	Engineering	4314	$61,409
		4392	$19,500
		4399	$18,100
	Administration	4446	$30,000

DISAPPROPRIATIONS

FUND	**DEPARTMENT**	**DECREASE**	
Water Pollution Control	Plant	4111	$18,000
		4232	$ 3,000
		4361	$ 2,000

Linda Buskirk
Linda Buskirk, Chairman
Board of Public Works

C. James Owen, Member
Board of Public Works

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

Approved by the Board of Public Works
on September 14, 1994.

AGREEMENT FOR EASEMENT

THIS AGREEMENT is made on the _____ day of _____________, 1994, by and between FORT WAYNE COMMUNITY SCHOOLS, INC., Grantor, and THE CITY OF FORT WAYNE, INDIANA, Grantee:

RECITALS:

1. Grantor is the owner of certain real property described as set forth in Exhibit "A" which is specifically incorporated by reference herein. (Servient Tenement)

2. Grantee is the owner of certain real property described as set forth in Exhibit "B" which is specifically incorporated by reference herein. ("Dominant Tenement")

3. Grantee desires to acquire certain rights in the servient Tenement.

IT IS THEREFORE AGREED:

Grant of Easement

1. For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor grants to Grantee an easement on and across the following described portion of the Servient Tenement:

> Sanitary Sewer Easement #1
>
> A sanitary sewer easement situated in Lot #23 in DeLong's Addition, according to the plat thereof, recorded in Plat Book 25, page 88 in the Office of the Recorder of Allen County, being more particularly described as follows, to-wit:
>
> Commencing at the point of intersection of the West line of Lot #26 in said DeLong's Addition with the Easterly right-of-way line of Red Haw Drive (formerly Auburn Road) as established under right-of-way grant dated September 8, 1960 and recorded in Deed Record 577, pages 81-84 in the Office of the Recorder; thence North 02 degrees 06 minutes West (Indiana Department of Highways bearing and is used as the basis for the bearings in this description), on and along the West line of Lots #26, #25, #24 and #23 in said DeLong's Addition, a distance of 629.75 feet to the true point

of beginning; thence North 02 degrees 06 minutes West, on and along the West line of Lot #23, a distance of 14 feet; thence North 87 degrees 54 minutes East, a distance of 47.0 feet; thence South 02 degrees 06 minutes East, a distance of 14 feet; thence South 87 degrees 54 minutes West, a distance of 47.0 feet to the true point of beginning.

Sanitary Sewer Easement #2

A sanitary sewer easement situated in Lots #23, #24 and #25 in DeLong's Addition, according to the plat thereof, recorded in Plat Book 25, page 88 in the Office of the Recorder of Allen County, Indiana, being more particularly described as follows, to-wit:

Commencing at the point of intersection of the West line of Lot #26 in said DeLong's Addition with the Easterly right-of-way line of Red Haw Drive (formerly Auburn Road) as established under right-of-way grant dated September 8, 1960 and recorded in Deed Record 577, pages 81-84 in the Office of said Recorder; thence North 02 degrees 06 minutes West (Indiana Department of Highways bearing and is used as the basis for the bearings in this description), on and along the West line of Lots #26 and #25, a distance of 396.75 feet to the true point of beginning; thence North 02 degrees 06 minutes West, on and along the West line of Lots #25, #24 and #23 in said DeLong's Addition, a distance of 233.0 feet; thence North 87 degrees 54 minutes East, a distance of 14.0 feet; thence South 02 degrees 06 minutes East and parallel with said West line, a distance of 233.0 feet; thence South 87 degrees 54 minutes West, a distance of 14.0 feet to the true point of beginning.

2. It is the intention of the parties that the Easement granted be an Easement appurtenant to the dominant estate in that the Easement benefits the use and enjoyment of the dominant estate by providing an area for the installation and maintenance of sanitary sewers essential to that property.

Duration and Binding Effect

3. The Easement shall endure perpetually. This agreement is made expressly for the benefit of and shall be binding on the heirs, personal representatives and successors in interest and the assigns of the respective parties.

Purpose of Easement

4. The Easement shall be used only for the purpose of installing and

maintaining sanitary sewers through the bounds of the easement.

Limitations

5. It is expressly agreed that the Easement rights and privileges conveyed to Grantee are limited to the installation and operation of:

a. ____ inch sanitary sewer.

Exclusiveness of Easement

6. The Easement rights and privileges granted by this Easement are non-exclusive and Grantor reserves and retains the right to convey a similar Easement and rights to such other persons as Grantor may deem proper.

Grantor's Rights

7. Grantor also retains, reserves and shall continue to enjoy the use of the surface of the land subject to the Easement for any and all purposes that do not interfere with or prevent Grantee's use of the easement. Grantor's retained rights include the right to use the surface of the Easement for driveways, walks, gardens, lawn planning or parking areas.

Construction of Facilities

8. In addition to the Easement rights and privileges, Grantee shall have the right to use as much of the surface of the Servient Tenement as may bereasonably necessary to construct and install within the Easement the facilities contemplated by this grant. On the completion of construction and installation, Grantee shall replace and restore all fences, walls or other structures that have been relocated or removed during the construction period.

Entire Agreement

9. This instrument contains the entire agreement between the parties

relating to the rights granted and the obligations assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect. Any modification of this agreement must be in writing and must be signed by both parties.

GRANTEE	GRANTOR
CITY OF FORT WAYNE, INDIANA	FORT WAYNE COMMUNITY SCHOOLS, INC.
By: ____________________ Paul Helmke, Mayor	By: ____________________ Mel Zehner, Director of Facilities and Support Services

ATTEST:

____
Sandra Kennedy, Clerk

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of ____________, 1994, personally appeared Paul Helmke, Mayor, and Sandra Kennedy, Clerk, of the City of Fort Wayne, Indiana, personally known to me, acknowledged that they are authorized so to do and executed the above and foregoing Agreement for Easement for the use and purposes therein stated and the duly authorized act and deed for the City of Fort Wayne, Indiana.

(SEAL)

My Commission Expires:

____

____________________, Notary Public
Resident of Allen County, Indiana

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and

State, this _____ day of _____________, 1994, personally appeared Mel Zehner, Director of Facilities and Support Services, of FORT WAYNE COMMUNITY SCHOOLS, INC. who states under oath he is duly authorized so to do and acknowledged the execution of the foregoing Agreement for Easement as the free and voluntary act and deed for and on behalf of grantor. Witness my hand and notarial seal.

(SEAL)

My Commission Expires:

____________________________, Notary Public
Resident of Allen County, Indiana

____

This instrument prepared by:

R. David Boyer
Supreme Court No. 2885-02
HELMKE, BEAMS, BOYER & WAGNER
300 Metro Building
Fort Wayne, Indiana 46802
(219) 422-7422

Part of Fractional Section 18, Township 31 North, Range 13 East, in Allen County, Indiana, in particular described as follows, to wit:

Commencing on the West line of the said Fractional Section at the point of its intersection by the Southeasterly right-of-way line of Interstate Road No. 69 as said point is situated, 46.14 feet South of the Northwest corner of the Plat as in Plat Book 25, page 88, in the Office of the Recorder of Allen County, Indiana, recorded, of DeLONG'S ADDITION to the City of Fort Wayne; thence running South on the said Fractional Section West line, a distance of 2507.86 feet to its intersection by the centerline of the Leo Road known also as State Road No. 1; thence Northeastward on and along said Road centerline, a distance of 2214.34 feet to the point of intersection by the Southwesterly right-of-way line of Auburn Road RELOCATION; thence Northwestward by a deflection left of 69 degrees 19 minutes along the said Auburn Road RELOCATION right-of-way line, a distance of 350.57 feet to a point of deflection left; thence continuing Northwestward by a deflection left of 3 degrees 12 minutes, more or less, along the aforesaid right-of-way line, a distance of 403.5 feet to a point of deflection left; thence continuing Northwestward along said right-of-way line by a deflection left of 6 degrees 34 minutes, a distance of 289 feet to the Southeasterly right-of-way line of Interstate Road No. 69 at a point situated 267.5 feet Northeastward of the place of beginning; thence Southwestward by a deflection left of 81 degrees 05 minutes, a distance of 267.5 feet to the place of beginning, containing 31.238 acres of land, subject to legal right-of-way for Red Haw Drive (formerly Old Auburn Road) and North Clinton Street (State Roads #1 and #427), EXCEPTING HEREFROM:

Parts of Lots numbered 25, 26 and 27 in DeLONG'S ADDITION, according to the plat thereof, recorded in Plat Book 25, page 88 in the Office of the Recorder of Allen County, Indiana, said parts all together being more particularly described as follows, to wit:

Beginning at the point of intersection of the West line of said Lot number 26 with the Easterly right-of-way line of Red Haw Drive (formerly Auburn Road) as established under right-of-way grant dated September 8, 1960 and recorded in Deed Record 577, pages 81-84 in the Office of said Recorder; thence North 02 degrees 06 minutes West (Indiana Department of Highways bearing and is used as the basis for the bearings in this description), on and along the West line of Lots numbered 26 and 25, a distance of 396.75 feet; thence North 87 degrees 54 minutes East, a distance of 75.0 feet; thence South 66 degrees 53 minutes East, a distance of 205.0 feet to a point on the Northwesterly right-of-way line of North Clinton Street as established under said right-of-way grant; thence South 23 degrees 35 minutes West, on and along said Northwesterly right-of-way line, a distance of 434.75 feet to the point of intersection of said Northwesterly right-of-way line with the Northerly intersection right-of-way line of said Red Haw Drive as established under said right-of-way grant; thence South 73 degrees 47 minutes West, on and along said Northerly right-of-way line, a distance of 44.8 feet to the point of intersection with the Easterly right-of-way line of said Red Haw Drive; thence North 19 degrees 08 minutes West, on and along said Easterly right-of-way line, a distance of 97.6 feet to the point of beginning, containing 1.814 acres of land, subject to all easements, restrictions and limitations of record.

This property is in Zone X, as the description plots by scale on Flood Insurance Rate Map No. 18003C 0165 D, effective September 28, 1990.

EXHIBIT "A"

Parts of Lots numbered 25, 26 and 27 in DeLONG'S ADDITION, according to the plat thereof, recorded in
Plat Book 25, page 88 in the Office of the Recorder of Allen County, Indiana, said parts all together
being more particularly described as follows, to wit:

Beginning at the point of intersection of the West line of said Lot number 26 with the Easterly right-of
way line of Red Haw Drive (formerly Auburn Road) as established under right-of-way grant dated September
8, 1960 and recorded in Deed Record 577, pages 81-84 in the Office of said Recorder; thence North 02
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as established under said right-of-way grant; thence South 23 degrees 35 minutes West, on and along sa
Northwesterly right-of-way line, a distance of 434.75 feet to the point of intersection of said
Northwesterly right-of-way line with the Northerly intersection right-of-way line of said Red Haw Drive
as established under said right-of-way grant; thence South 73 degrees 47 minutes West, on and along sa
Northerly right-of-way line, a distance of 44.8 feet to the point of intersection with the Easterly
right-of-way line of said Red Haw Drive; thence North 19 degrees 08 minutes West, on and along said
Easterly right-of-way line, a distance of 97.6 feet to the point of beginning, containing 1.814 acres
land, subject to all easements, restrictions and limitations of record.

This property is in Zone X, as the description plots by scale on Flood Insurance Rate Map No. 18003C
D, effective September 28, 1990.

EXHIBIT "B"

INVOICE #94-8-94

August 31, 1994

Otto Bonahoom, Atty.
215 E. Berry St.
Fort Wayne, IN 46802

CIVIL ENGINEERING SURVEYING LAND PLANNING
zktazian
ASSOCIATES INC.
345 W. WAYNE ST.
SUITE 202
FT. WAYNE, IN 46802
219-424-3232
219-426-0003

RE: Fort Wayne Community Schools/City of Fort Wayne (Job No. 94-8-94)

N. Clinton St. @ Red Haw Drive

Part of Fractional Section 18, Township 31 North, range 13 East, Allen County, Indiana.

Legal description for reference use........$ 75.00

Please show invoice number when making payment.
PLEASE RETURN YELLOW COPY WITH REMITTANCE

HELMKE, BEAMS, BOYER & WAGNER
COUNSELORS AT LAW
300 METRO BUILDING
HARRISON AT BERRY STREET
FORT WAYNE, INDIANA 46802-2216
TELEPHONE (219) 422-7422
FACSIMILE (219) 422-6764

WALTER P. HELMKE
R. DAVID BOYER
ROBERT A. WAGNER
J. TIMOTHY MCCAULAY
DANIEL J. BORGMANN
TRINA GLUSENKAMP GOULD

WALTER E. HELMKE
(1901-1976)
GLEN J. BEAMS
JOHN G. REIBER
OF COUNSEL

September 9, 1994

City of Fort Wayne

To Whom It May Concern:

Enclosed is a bill from Z.K. Tazian for $75.00 for preparing the description of the Fort Wayne Community Schools property. Under the Lockheed case it was essential that we have that description to prepare the easement since the easement is benefiting the fire station, I believe that it is appropriate that the cost for this service be paid for by the Fire Department as part of the building project.

Very truly yours,

HELMKE, BEAMS, BOYER & WAGNER

R. David Boyer

RDB:csb
Enclosure

HELMKE, BEAMS, BOYER & WAGNER
COUNSELORS AT LAW
300 METRO BUILDING
HARRISON AT BERRY STREET
FORT WAYNE, INDIANA 46802-2216
TELEPHONE (219) 422-7422
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WALTER E. HELMKE
(1901-1976)

GLEN J. BEAMS
JOHN G. REIBER
OF COUNSEL

September 9, 1994

Pat -
For
Agenda
LB

Ms. Linda Buskirk
Board of Public Works
Room 920
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Linda:

In construction of Fire Station 13 at Maple Holland School location, it is necessary that there be an exchange of easements. The attached documents are the easements which were drafted by me and have been submitted to Fort Wayne Community Schools for their approval. The Board of Works needs to approve these easements and they will then be executed on behalf of the City of Fort Wayne by the Mayor and the City Clerk. Please place these on the agenda for Wednesday's meeting.

Very truly yours,

HELMKE, BEAMS, BOYER & WAGNER

R. David Boyer

RDB:csb

H1 81-142-17
9-14-94

EMERGENCY RESOLUTION NO. 81-142-17

WHEREAS, during the replacement of the elevators at the Police Operations Center, the fire alarm system malfunctioned and became inoperable; and,

WHEREAS, an Emergency exists for immediate repair; and,

WHEREAS, the Property Manager will receive invitational bids for said repairs and/or replacement from Orr Protection Systems, Inc., Fire Systems Inc. and Commercial Communications; and,

Now, therefore, the Board of Public Works hereby declare an Emergency exists to repair and/or replace the fire system and will request the Purchasing Department to issue a purchase order at that time.

Adopted, this 14 day of SEPT. 1994

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-138-17
9-7-94

RESOLUTION

FORT WAYNE BOARD OF PUBLIC WORKS

93-9-S-1

WHEREAS, the City of Fort Wayne desires to acquire certain lands in the City of Fort Wayne for the purpose of erecting an ambulance facility, and

WHEREAS, the proposed land will be added to additional land to construct a building to house both offices and facilities for the administration of the City ambulance program and subsequently leased to the Three Rivers Ambulance Authority, and

WHEREAS, said acquisition will be for the benefit of the public and will aid the joint welfare of the residents of the City of Fort Wayne,

NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE BOARD OF PUBLIC WORKS that:

1. The Fort Wayne Board of Public Works finds said acquisition to be in the public interest.

2. That the real estate to be acquired consists:

   a. The North 60.5 feet of the West 22. 5 feet of Lot No. 100 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 502 East Brackenridge Street (Parcel No. 1).

   b. North 60 feet of the East 37.5 feet of Lot No. 100 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 506 East Brackenridge Street (Parcel No. 2).

   c. West half of Lot No 96 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 526 East Brackenridge Street (Parcel No. 3).

   d. South 52.4 feet of the North 73.5 feet of Lots No. 101 and 102 in Lewis Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 1419 Clay Street (Parcel No. 4).

BE IT FURTHER RESOLVED that the maximum offering price for each of the parcels shall be the average of two appraisals, and

BE IT FURTHER RESOLVED that relocation procedures and payments in accordance with the Indiana Code be offered to tenants of the property, and

BE IT FURTHER RESOLVED, with the approval of this Resolution, by the Common Council of the City of Fort Wayne, Indiana, that the Board of Public Works acquire said real estate through the eminent domain process.

Linda Buskirk LB

James Allen

Approved

9-7-94

H1 81-136-6
9-7-94

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS
EMERGENCY RESOLUTION 81-135-6

WHEREAS, The Nestle Co., Inc. built a 750,000 sq. ft. distribution warehouse at Pleasant Center Road and Bluffton Road; and

WHEREAS, the new water main that was constructed to serve the above facility is unable to provide demand due to telemetry constraints; and

WHEREAS, this can be accomplished by the use of radio telemetry; and

WHEREAS, the design and installation of the telemetry system needs to be completed as soon as possible to provide the necessary fire protection per agreement with Nestle.

NOW, THEREFORE, The Board of Public Works declares an emergency exists to have EMA design and install the necessary telemetry system to serve the Nestle Distribution Center. This project is estimated to cost $38,000.

Approved and accepted this 7 day of SEPTEMBER 1994

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen
C. James Owen, Member

Attest: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-135-5
9-7-94

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-134-5

WHEREAS, in March of 1993 the United States Environmental Protection Agency Region V (USEPA Region V) conducted an audit of the Fort Wayne Water Pollution Control Plant; and

WHEREAS, USEPA Region V issued its Findings and Conclusions following its audit, along with an Order requiring the City to amend certain provisions of its Sewer Utility Rules and Regulations; and

WHEREAS, this Board approved certain changes to the Sewer Utility Rules and Regulations on August 10, 1994; and

WHEREAS, certain other amendments to Chapter 51 are necessary to fully carry out the City's obligation under the USEPA Region V Order.

NOW, THEREFORE BE IT RESOLVED, the Board of Public Works of the City of Fort Wayne finds that the Rules and Regulations of the Fort Wayne Water Pollution Control Utility, numbers 1, 6 and 15 be amended to read as follows, and such sections, as amended, be incorporated in and made a part of the Sewer Utility Rules and Regulations:

1. DEFINITIONS

"SIGNIFICANT NON-COMPLIANCE" (SNC) - Significant Non-Compliance is defined as set out in 40 CFR 403.8(f)(2)(vii). In basic terms it shall mean any Industrial User which significantly violates any applicable Pretreatment Standards or other Pretreatment Requirements. Summarily stated, violations meeting the following criteria place the industrial user in significant non-compliance:

a.) Chronic violations of wastewater discharge limits;
b.) Technical Review Criteria (TRC) violations;
c.) Any other violation of a pretreatment effluent limit determined to have caused interference or pass through;
d.) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the WPC Plant's exercise of its emergency authority;
e.) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone;
f.) Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
g.) Failure to accurately report non-compliance;
h.) Any other violation or group of violations determined to adversely affect the operation or implementation of the local pretreatment program.

6. LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES

A.

Constituent	Maximum Daily Limitation (mg/l)
Arsenic	0.10
Cadmium	0.70
Chromium (Hexavalent)	0.50
Chromium (Total)	10.00
Copper	2.00
Cyanide	1.20
Lead	0.60
Mercury	0.01
Nickel	3.00
Phenol	1.00
Silver	0.30
Zinc	6.00

15. PUBLIC NOTIFICATION

In accordance with the provisions of 40 CFR 403.8 (f) (2) (vii), the City shall annually publish in Allen County's largest daily newspaper, a list of all Industrial and/or commercial users which are in significant non-compliance with Chapter 51 of the Code or any State or Federal Pretreatment Standard. For purposes of this Section, significant non-compliance shall be fined as briefly set out in Section 1. above, and more fully contained in 40 CFR 403.8(f)(2)(vii).

IN WITNESS WHEREOF, this Resolution is adopted at a duly called meeting of the Board of Public Works this 7 day of SEPT., 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-133-3
8-31-94

RESOLUTION 519-94

PONTIAC STREET UNDERPASS DRAINAGE IMPROVEMENT

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described area:

PONTIAC STREET - WAYNE TRACE

Installation of 700 ± LF of 12"-18" storm sewers, 300 ± LF of 6" underdrains, 5-48" manholes, 6-inlets and complete restoration.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by **Stormwater Utility** funds of the City of Fort Wayne.

ADOPTED this 31 day of August, 1994.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

____

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

tg\resol\pontiac.519

HI 81-133-2
8-31-94

RESOLUTION 518-94

HAWTHORNE ST./SOUTHERN COURT AREA DRAINAGE IMPROVEMENT

RESOLVED by the Board of Stormwater Management of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

A.) HAWTHORNE ST.-BELMONT ST.

Installation of 1,800 ± LF of 12"-18" storm sewers, 7-48" manholes 12-inlets, 2,000 ± LF of swale construction, and complete restoration.

B.) SOUTHERN COURT-FAIRFAX AVE.-HANNA ST.

Installation of 850 ± LF of 12"-15" storm sewers, 5-48" manholes, 4-inlets and complete restoration.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by **Stormwater Utility** funds of the City of Fort Wayne.

ADOPTED this 31 day of AUGUST, 1994.

BOARD OF STORMWATER MANAGEMENT

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

tg\resoluti\hawthorn.518

H1 81-131-16
8-31-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-131-16

RESOLUTION CONCERNING NEED FOR CONSULTANT SERVICES

WHEREAS, the North bank of the St. Joseph River at the site of the Old Mayhew Road Bridge has eroded and exposed the St. Joseph Interceptor sanitary sewer line; and,

WHEREAS, it is important and necessary to take steps preventing any further erosion and to maintain the stability of the sewer line;and,

WHEREAS, the Water Pollution Control Engineering staff does not have the expertise required in the design of such erosion control; and,

WHEREAS, the need for consultant services for this project is recognized;

NOW, THEREFORE, the Board of Public works hereby resolves to hire a consultant to design measures to correct the current erosion of and maintain the stability of the 48" St. Joseph Interceptor sanitary sewer line.

APPROVED this 31 day of AUGUST, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-131-15
8-31-94

ST. JOSEPH RIVER BANK EROSION CONTROL
RESOLUTION 527-1994

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Because the North Bank of the St. Joseph River, Northeast of the Old Mayhew Road Bridge has eroded and exposed a portion of the 48" diameter St. Joseph Interceptor sanitary sewer, it is deemed necessary to construct an erosion control facility to correct the current erosion and to maintain the stability of the existing St. Joseph Interceptor sanitary sewer along the portion of the St. Joseph River Bank described as follows:

> Beginning at an area along the North/West Bank of the St. Joseph River 280± L.F. South and West of the Old Mayhew Bridge, thence Northeast along the North/West Bank of the St. Joseph River to a point 400± L.F. North and East of the Old Mayhew Road Bridge.

Said improvements with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sewer improvement shall be paid by funds from Fort Wayne Sewer Utility.

APPROVED this 31 AUGUST 1994

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

____

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-131-14
8-31-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-131-14

RESOLUTION CONCERNING NEED FOR CONSULTANT SERVICES

WHEREAS, the existing sanitary sewer system in the area of the intersection of St. Joe Center Road and St. Joe Road has an excessive amount of inflow and infiltration; and,

WHEREAS, the excessive amount of inflow and infiltration in this portion of the sanitary sewer system causes sewage to backup into the homes of customers and sometimes to come out of the top of manholes and discharge into open ditches; and,

WHEREAS, the Indiana Department of Environmental Management has directed the City of Fort Wayne to make improvements to the sanitary sewer system so that the sewage will stop discharging into the open ditches; and,

WHEREAS, the Water Pollution Control Engineering staff is reaching its workload capacity; and,

WHEREAS, the need for consultant services for this project is recognized;

NOW, THEREFORE, the Board of Public Works hereby resolves to hire a consultant to design sewer improvements to relieve the problems the excessive amount of inflow and infiltration cause in the sanitary sewer system in the area of the intersection of St. Joe Center Road and St. Joe Road.

APPROVED this 31 day of AUGUST, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk

Linda Buskirk, Chairman

James Owen

C. James Owen, Member

____

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

M1 81-131-13
8-31-94

ST. JOE CENTER ROAD RELIEF SEWER
RESOLUTION 526-1994

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Because an existing 15" diameter sanitary sewer, South of St. Joe Center Road and West of St. Joe Road, is under sized and has experienced excessive surcharge conditions, it is deemed necessary to construct a relief sanitary sewer interconnected with the existing under sized 15" diameter sewer and proceeding along the following route:

> **MAINLINE**
>
> Beginning at an existing manhole located 275± L.F. South of and 800± L.F. West of the intersection of St. Joe Center Road and St. Joe Road; thence North to the area North of St. Joe Center Road; thence West between St. Joe Center Road and upper St. Joe Center Road, under the St. Joseph River; thence continuing West and terminating at a proposed manhole on an existing 54" diameter sanitary sewer interceptor.

Said improvements with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sewer improvement shall be paid by funds from Fort Wayne Sewer Utility.

APPROVED this 31 AUGUST 1994

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

____

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

M1 81-125-4
8/24/94

IMPROVEMENT RESOLUTION NO. 6354-94
BOONE STREET / CENTER STREET / CAMP ALLEN DRIVE IMPROVEMENTS
(CDBG)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BOONE STREET FROM MECHANIC STREET TO CHERRY STREET BY PARTIAL REPLACEMENT OF SIDEWALKS, REPLACEMENT OF CURBS, DRIVEWAY APPROACHES, WINGWALKS WITH RAMPS AND YARDWALKS

CENTER STREET FROM MAIN STREET TO APPROXIMATELY 90 FT. NORTH OF BOONE STREET BY REPLACEMENT OF SIDEWALKS, ALLEY APPROACHES, DRIVEWAY APPROACHES, YARDWALKS AND REHABILITATION OF STORM SEWER STRUCTURES

CAMP ALLEN DRIVE FROM ELM STREET TO MAIN STREET - WEST SIDE ONLY - BY REPLACEMENT OF SIDEWALK AND ALLEY APPROACH.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Minority Business Enterprises, hereinafter sometimes referred to as "M.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 24 day of AUGUST, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Secretary and Clerk

HI 81-125-3
8/24/94

STREET LIGHTING RESOLUTION

NUMBER 237-94

STREET LIGHTING MAINTENANCE AND UNIT PRICE CONTRACT

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is deemed necessary to obtain bids for the maintenance of and new construction on the municipally owned street lighting system of the said city and such work is now ordered.

Board of Public Works

Linda Buskirk

Linda Buskirk
Director of Public Works

C. James Owen
Board Member

Patricia J. Crick

Attested: Patricia J. Crick
Clerk to the Board of Public Works

Date Adopted: 8/24/94

8I-122-9
8 17-94

IMPROVEMENT RESOLUTION NO. 6352-94
CREIGHTON-HOME NEIGHBORHOOD IMPROVEMENTS - 1994
CDBG

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

HUESTIS AVENUE FROM BROADWAY TO FOX AVENUE BY PARTIAL REPLACEMENT OF SIDEWALKS, YARDWALKS, CURBS, DRIVEWAY APPROACHES, CURB RAMPS AND REHABILITATION OF STORM SEWER STRUCTURES;

MINER STREET FROM GRACE TO CREIGHTON AVENUE BY PARTIAL REPLACEMENT OF SIDEWALKS, YARDWALKS, CURBS, DRIVEWAY APPROACHES, CURB RAMPS AND REHABILITATION OF STORM SEWER STRUCTURES;

SCOTT AVENUE FROM BROADWAY TO MINER STREET BY PARTIAL REPLACEMENT OF CURBFACE SIDEWALK, DRIVEWAY APPROACHES, ALLEY APPROACHES AND REHABILITATION OF A STORM SEWER STRUCTURE.

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Minority Business Enterprises, hereinafter sometimes referred to as "M.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 17 day of AUGUST, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Secretary and Clerk

HI 81-121-8
8-17-94

IMPROVEMENT RESOLUTION #6351-94
WEST STATE BVLD. : SHERMAN BLVD. TO HENSCH STREET
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BY RESURFACING WEST STATE BLVD. FROM EAST CURB LINE OF SHERMAN BLVD. TO THE EAST PROPERTY LINE OF HENSCH STREET.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Funds.

Adopted, this 17 day of AUGUST, 19 94.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-120-3
8-10-94

BOARD OF PUBLIC WORKS
BOARD OF DIRECTORS OF THE DEPARTMENT OF
STORMWATER MANAGEMENT

CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-120-3

RE: APPROVING AND RECOMMENDING TO THE COMMON COUNCIL OF THE CITY OF FORT WAYNE JUST AND REASONABLE RATES AND CHARGES FOR STORMWATER SERVICES.

WHEREAS, the Common Council of the City of Fort Wayne passed Ordinance G-17-91 and Amended Ordinance G-25-91 establishing an interim stormwater service charge for users of the Fort Wayne Stormwater Utility in 1991; and

WHEREAS, that schedule of interim Stormwater Service Charges, which is still in effect, was based on broad land-use classification of users, approximating the average impervious stormwater runoff contributed by each classification; and

WHEREAS, at the time of passage of Ordinance G-17-91 and Amended Ordinance G-25-91, the Common Council requested City Utilities staff to undertake a cost of service and rate study in order to more accurately assess stormwater service charges to individual users in a more equitable manner than currently adopted in the interim rate; and

WHEREAS, Woolpert Consultants along with David M. Griffith and Associates, Inc. and Strand and Associates, Inc. (Stormwater Consultants) were hired to assist City Utilities in performing the necessary cost of service and rate study analysis in order to implement a more equitable stormwater billing system; and

WHEREAS, Common Council representatives, Board of Public Works members, City Utilities and Civil City staff, along with the Stormwater Consultants were gathered to form a Stormwater Management Task Force to consider all issues involved in arriving at an acceptable stormwater management rate structure, which task force met on a regular basis from July, 1992 through July, 1993; and

WHEREAS, the work of the task force and consultants was presented to the Common Council in September, 1993; and

WHEREAS, the work of the Stormwater Consultants and the Stormwater Management Task Force was completed in July of 1994; and

WHEREAS, the Stormwater Management Task Force, in conjunction with the Stormwater Consultants and City Utilities Staff recommend a monthly stormwater rate of $1.94 per Equivalent Residential Units (ERU). Further, it is recommended that one (10 ERU equal 2,500 sq. ft. Be it further recommended that each residential property be assigned one (1) ERU with all non-residential property being assigned one (1) or more ERUs based on that property's amount of measured impervious service, and that all properties be billed a monthly Stormwater Service Charge accordingly.

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of Stormwater Management:

1. That the Board approves the following fee structure:

HI 81-118-26
8-10-94

BOARD OF PUBLIC WORKS

CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-118-26

WHEREAS, in March of 1993 the United States Environmental protection Agency Region 5 (USEPA Region 5) conducted an audit of the Fort Wayne Water Pollution Control Plant; and

WHEREAS, USEPA Region 5 issued its Findings and Conclusions following its audit, along with an Order requiring the City to amend certain provisions of its Sewer Utility Rules and Regulations; and

WHEREAS, certain other amendments to the Rules and Regulations are appropriate at this time.

NOW, THEREFORE BE IT RESOLVED, the **Board of Public Works of the City of Fort Wayne** finds that the Rules and Regulations of the Fort Wayne Water Pollution Control Utility, 1 - 19, all inclusive, be amended to read as attached hereto, incorporated herewith and made a part hereof.

IN WITNESS WHEREOF, this Resolution is adopted at a duly called meeting of the Board of Public Works this 10 day of AUGUST, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

a. That a monthly rate of $1.94 per ERU be approved.

b. That one (1) ERU equal 2,500 sq. ft.

c. That each residential property be assigned one (1) ERU such that each residential property will be billed $1.94 per month as its Stormwater Service Charge.

d. That each non-residential property be assigned a number of ERUs based on its measured impervious surface, and that each such property be billed $1.94 per monthly ERU of impervious space.

e. That a system of credits be implemented whereby non-residential properties could offset a portion of the monthly Stormwater Service Charge for various forms and levels of stormwater abatement.

2. That the Board recommends to Common Council the fee structure set out in number 1. above.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

FORT WAYNE WATER POLLUTION CONTROL UTILITY

FORT WAYNE, INDIANA

GENERAL RULES AND REGULATIONS

AS AMENDED AUGUST, 1994

In accordance with the statutes of the State of Indiana and the Fort Wayne Code of Ordinances, 1992. Sewers and Sewerage System, the Board of Public Works has established the following General Rules and Regulations for the safe, economical and efficient management and operation of the City's Sewage Utility, for the construction and use of sewers, building sewers, appurtenances, and connections to the sewerage system; for the regulation, collection, and refunding of rates and charges for sewer service; and for the implementation of the provisions of said Chapter 51.

THE NATIONAL CATEGORICAL PRETREATMENT STANDARDS LOCATED AT 40 CFR CHAPTER 1, SUBCHAPTER N, PARTS 405-471 ARE HEREBY INCORPORATED INTO THESE RULES AND REGULATIONS AS FULLY AS IF SET OUT HEREIN.

1. DEFINITIONS

For the purposes of these Rules and Regulations, words and terms shall have their ordinary and usual meanings.

Words and terms used herein shall have meanings as defined in either the Fort Wayne Code of Ordinances, 1992 (the Code), or as appropriate to the context used.

"Shall" means mandatory; "may" means permissible.

"Available" shall mean abutting the property, crossing the property, within any easement or public right-of-way abutting the property or within three hundred (300') feet of the property.

Pursuant to 40 CFR 403.3, the following definitions are adopted.

"INTERFERENCE" - A Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

a) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and

b) Therefore is a cause of a violation of any requirement of the WPC Plant's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulaitons or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contaoned in any State sludge management plan prepared pursuant to subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

"PASS THROUGH" - A Discharge which exits the WPC Plant into waters of the United States in quantities or concentrations which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the WPC Plant's NPDES permit (including an increase in the magnitude or duration of a violation.)

"PRETREATMENT REQUIREMENTS" - Any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

"SIGNIFICANT NON-COMPLIANCE" (SNC) - Significant Non-Compliance is defined as set out in 40 CFR 403.8(f)(2)(vii). In basic terms it shall mean any Industrial User which significantly violates any applicable Pretreatment Standards or other Pretreatment Requirements. A significant violation is a violation which remains uncorrected 45 days after notification of noncompliance; which is part of a pattern of noncompliance over a twelve month period; which involves a failure to accurately report noncompliance; or which resulted in the WPC Plant exercising its emergency authority under 40 CFR 403B (f)(1)(vi)(B).

2. CONNECTION TO PUBLIC SANITARY SEWER

A requirement of the Fort Wayne Municipal Code is that every property in the City of Fort Wayne shall be required to connect to the municipal sewage system whenever a sanitary sewer is available for use. The connection to the municipal sewage system shall be made within ninety (90) days after such sanitary sewer is available.

Those properties not abutting City sewer, but within three hundred (300') feet of a sewer, shall make arrangements through the Water Pollution Control Engineering Department to have sewer extended to their property. Connection to the new sewer may not be made until the main is accepted by the City, or a Prime Contractor's Release is executed by Water Pollution Control Engineering.

Notwithstanding the foregoing, the Board of Public Works may, on application and proof of economic hardship, extend the time within which such property shall be connected to the municipal sewage system.

3. BUILDING OR HOUSE SEWERS

A. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the New Water/Sewer Permit Office, Room 480 City-County Building.

B. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City for any loss of damage directly or indirectly occasioned by the installation of the building sewer, including back water damages from the public sewer system.

C. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and where no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

D. A building sewer shall not cross the property of another private owner unless such private owner has granted an easement for such building sewer which is duly recorded in the Office of the Allen County Recorder.

E. Existing building sewers may be used in connection with new buildings only when they are found, upon examination and test, to meet the current code requirements for building sewers.

F. The installation of a building or house sewer shall comply with Chapter 51 and Division C, Section I, "Building Service Sewer," of SPECIFICATIONS, and STANDARDS FOR SANITARY SEWERS AND STORM DRAINAGE WORKS, of the City of Fort Wayne.

G. The City of Fort Wayne shall have no responsibility for the installation, maintenance and repair of building sewers, including joints and fittings.

H. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow into the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

I. No person shall connect any roof downspout, exterior foundation drain, or other source of surface runoff or groundwater to a building sewer or building drain which is connected either directly or indirectly to a sanitary sewer of the City.

J. The connection of the building sewer into the public sewer shall conform to the applicable rules and regulations of the City. All such connections shall be made gastight and watertight. Any deviation of the prescribed procedure or material must be approved by the Chief Water Pollution Control Engineer before installation.

K. No owners of or persons controlling any real property shall allow soil to enter any building sewer constructed to serve said property.

L. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

M. No owners of or persons controlling any real property shall tap or drain either directly or indirectly into any public sewer until a sewer tap permit has been obtained from the City and until owner has satisfied the obligation to pay all assessments, reimbursements and pro rata shares of sewer extension costs laid against that property for public sewers which serve it. A sewer tap permit given in error shall not operate to nullify any such obligation that has been duly recorded nor estop the City from charging and collecting such costs at any subsequent time.

N. Notwithstanding the foregoing, the Utility may, in accordance with policies and procedures adopted by the Board of Public Works and from time to time, permit any persons to tap or drain into a public sewer and to defer, in whole or in part, payment of the obligation, upon the execution and delivery to the Utility of a note, mortgage, lien document or other evidence of obligation acceptable to the Utility.

O. All such deferred obligations shall be considered for the purposes of Indiana Code Sections 36-9-23-31 through 36-9-23-34 to be fees assessed against real property.

P. Installments of deferred obligations, including any finance charges or interest chargeable thereon, shall be deemed to be "charges for sewerage service" for the purposes of Chapter 51.

Q. Sewer tap permits shall be obtained from the City's New Water and Sewer Permit Office and shall be issued only to licensed sewer tap contractors, who shall pay to the Sewage Utility a fee of Fifty ($50.00) Dollars for each sewer tap permit for a standard six (6") inch service, a fee of Ninety ($90.00) Dollars for each sewer tap permit for a special six (6") inch service (such as a sewer tap into a collection system manhole) and a fee of Ninety ($90.00) Dollars for each sewer tap permit for a sewer service larger than six (6") inches. The aforementioned charge will apply to similar types of taps into the City Storm Sewer System. Not later than forty-eight (48) hours after making each sewer tap and building of the sewer installation, the tap contractor or property owner shall notify the New Water/Sewer Permit Office of such connections so that an inspection may be made by the Utility prior to backfilling the said sewer installation.

R. In cases of requests for connections to newly constructed mains prior to acceptance by the Board of Public Works, a Prime Contractor's Release must be executed and granted through the WPC Engineering Department and submitted to the New Water/Sewer Permit Office. Upon satisfaction of all other requirements, a permit for connection may be issued.

S. No person shall make use of a sewer tap or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation of sewer tap to be excavated and exposed, may terminate the connection and may require the owner or occupant to pay or reimburse the Utility for its costs and expenses in such excavation, exposure, termination, reconnection and restoration. Such costs and expenses shall be considered as charges for sewerage treatment services and may be collected in accordance with the provisions of Indiana Code 36-9-23-31 through 36-9-23-34 and Chapter 51.

T. City shall have the authority to require property owners to maintain and/or repair as necessary building sewers when the disrepair of the building sewer:

1.) has a detrimental effect on the public sewer system and/or

2.) is causing damage to any surface improvement.

4. LICENSED SEWER TAP CONTRACTORS

A. In order to maintain strict control and quality of the sewerage system, all contractors and/or plumbers who connect, install, repair and/or replace a sanitary or storm sewer tap shall be required to have a valid sewer license or registration to do work with the City. Examinations shall be required for new applicants and those whose licenses have been expired for more than one (1) year.

B. Plumbers currently licensed with the State of Indiana may register with the New Water/Sewer Permit Office as a building sewer contractor, and upon registration shall be exempt from examination.

C. The examinations will require the knowledge of installation, workmanship, materials, safety and health regulations, liability, City Standards and Specifications, Code Chapter 51, and any other necessary information to determine the experience and knowledge of the contractor to install a building sewer. A score of seventy (70%) percent shall be required in order to pass the examination. There shall be a one (1) week time interval before the applicant can repeat the examination.

D. After successfully passing the examination, or being exempted therefrom, the Contractor may purchase a license for the current calendar year, renewable annually on the first day of each succeeding year, to install building sewer and surface water sewer taps.

E. An annual fee of Fifty ($50.00) Dollars shall be paid to the New Water/Sewer Permit Office by each licensed sewer tap contractor.

F. The contractor shall post a Performance Bond and Certificate of Liability Insurance with the City of Fort Wayne.

5. EXTENSION OF CITY'S SEWERS

A. All new developments, subdivisions, apartment complexes, shopping centers, hotels, restaurants, or any other commercial or industrial development shall include adequate sanitary and storm systems.

B. If adequate public sewers do not exist, the developer shall extend or cause to be extended adequate public sewers. Plans for any public sewer extension must be approved by the City's Water Pollution Control Engineering Department. All extensions must be designed in accordance with the current sewer design criteria, City and County, and must be constructed in accordance with the City's Standards and Specifications and in compliance with "Ten State Standards".

C. Review of the plans and inspection prior to and during construction by the Water Pollution Control Plant and/or Engineering Department shall be at the expense of the developer. The charge for review and approval of the sewer plans and inspection during installation of the sewers shall be satisfied by the developer at the time a contract for sewer extension is executed.

D. No person shall make use of a sewer extension or backfill or otherwise conceal a sewer installation unless and until the same has been inspected and approved by the Utility. In addition to all other remedies, the Utility may cause the said installation to be excavated and exposed, may terminate the connection, and may require the developer or contractor to pay or reimburse the Utility for its costs and expenses in such excavation, exposure, termination, reconnection, and restoration.

6. LIMITATION OF CONCENTRATIONS PERMITTED IN INDUSTRIAL WASTES

A. In accordance with the provisions of Section 24-16-113 of the Municipal Code of 1974, as amended, the Board of Public Works, in order to protect the operation of the Water Pollution Control Plant, the disposal of its sludge, and its discharge to the receiving stream, hereby limits the discharge of toxic ions, compounds, or substances entering the City's sewage system not to exceed the concentration listed below:

Constituent	Monthly Average Limitation (mg/l)
Arsenic	0.10
Cadmium	0.70

Chromium (Hexavalent)	0.50
Chromium (Total)	10.00
Copper	2.00
Cyanide	1.20
Lead	0.60
Mercury	0.01
Nickel	3.00
Phenol	1.00
Silver	0.30
Zinc	6.00

In addition to those pretreatment limitations specified in their individual pretreatment permits, photographic finishing industries will be limited to a monthly average Silver effluent limitation of 4.00 mg/l based on a maximum flow of 400,000 gallons per day per photographic discharger.

Non-major industries which discharge silver above the detection limit for silver (.01 mg/l) may be subject to pretreatment permits.

B. SAMPLE DISPUTE RESOLUTION.

In accordance with Section 51.040 of the City of Fort Wayne, Indiana, Code of Ordinances as amended, the following procedure will be used in the event of a dispute between the Superintendent and the user as to the concentration, toxic nature or compliance status of the sample taken and analyzed by the City.

All such disputes shall be resolved consistent with the most current, approved USEPA or IDEM guidance documents and methodologies through an appeal filed by the industrial user. All appeals shall be resolved in an impartial manner through uniform application of the appeals procedures and considerations. Specifics of this process are set out in each Industrial Discharge permit and the steps for resolution of an appeal are contained in the Fort Wayne Water Pollution Control Plant Enforcement Response Guide. These documents may be modified as more accurate procedures become available. The following documents, attached hereto are the recognized authority as the date of approval of these Rules and Regulations and are hereby incorporated herein.

(1) USEPA memorandum, January 21, 1992 - Determining Industrial User Compliance Using Split Samples.

(2) Resolving Compliance Disputes, June 24, 1994 - Memorandum from City of Fort Wayne Law Department to Greater Fort Wayne Water Quality Subcommittee, and flow chart of same date.

6.5 LIMITATION OF CONCENTRATION OF FATS, OILS AND GREASES AND ACCEPTABLE RANGE OF pH.

A. 1. Fats, oils and greases (FOG) may be discharged to the Water Pollution Control Plant in a concentration of 200 mg/l total for industries and commercial establishments whose FOG wastewater discharge historically contained primarily animal/vegetable FOG in their process as determined by their SIC code listed in the Standard Industrial Classification Manual, 1987.

2. Within the City of Fort Wayne service area, these industries are:

a) Restaurants - SIC code 5812.

b) Bakery Products - SIC code 2051, 2052.

c) Potatoe chips and other snack foods - SIC code 2096.

B. If it becomes necessary to restrict the 200 mg/l total FOG limit in the future in order to protect the integrity of the Water Pollution Control Utility, no penalty shall attach for discharge between the new, lower level and the current 200 mg/l total FOG limit for a period of ninety (90) days following action of the Board approving the reduced limit.

C. 1. It is the finding of the Board that the following industries have been shown to not cause interference when total FOG is discharged in excess of 200 mg/l:

a) Dairy Products (milk) SIC code - 2026.

b) Dairy Products (ice cream) SIC code - 2024, 5143.

2. For the above industries such discharge shall be allowed to the extent the total FOG in the wastewater discharge does not cause interference with the City Sewer System. For the purpose of determining compliance with this standard, an approprite total FOG numerical limit shall be incorporated into such user's Wastewater Discharge Permit. The Board grants the Superintendent limited power to evaluate the total FOG discharge of such a user and to grant such user an individual numerical total FOG limit greater than 200 mg/l (total) but no greater than 3000 mg/l.

3. The Superintendent's evaluation of an appropriate total FOG numerical limit for an individual user shall consider, inter alia, the user's historical discharge

concentrations of total FOG and the impact, if any, of such discharge on the City Sewer System.

4. The Superintendent shall monitor the effect of the user's discharge on the City Sewer System. Should the Superintendent find that discharge at the higher, permitted level causes interference with the City Sewer System, the Superintendent shall promptly notify the user, at which point the Superintendent shall negotiate an appropriate modification to said users permit.

D. The acceptable range for pH is 6-10. Analysis shall be conducted on grab samples taken at the user's sampling point, which sampling points are to be determined by the Superintendent.

BE IT FURTHER RESOLVED, the Board of Public Works of the City of Fort Wayne, Indiana, that Section 6.6 of the Rules and Regulations of the Sewer Utility should be amended to read as follows:

6.6 ADMINISTRATIVE ENFORCEMENT OF A/V FOG AND Ph.

A. This Section shall apply only to those users described in Section 6.5 hereinbefore. All other users shall be subject to the enforcement provisions set out in the City's Enforcement Response Plant and Section 51.111 of the Code.

B. Routine samplings shall be conducted at least twice annually for all restaurants as described in Section 6.5. Any user found to have exceeded the 200 mg/l a/v FOG discharge limit upon initial sampling shall receive a written Notice of Exceedance. This notice will require the user to provide the City with a written explanation of its current and proposed means of regulating its FOG discharge, which plan is subject to the approval of the supervisor of the Water Pollution Control Plant. Thereafter, a second, compliance sample shall be collected and analyzed by the City. Based on the results of this compliance check, the following escalating administrative surcharge schedule shall be assessed.

For each exceedance of the 200 mg/l limit thereafter, this surcharge schedule shall apply per occurrence. Further, any user found to have exceeded the 200 mg/l limit shall be subject to resampling within thirty (30) days from the date the Notice of Exceedance is mailed.

Milligrams/Liter

201 - 300....................	$ 200
301 - 500....................	$ 400
501 -1000....................	$ 600
over 1000....................	$1,000

Excepted from the above surcharge schedule are users governed by FOG limits set in accordance with Section 6.5 (C). (SIC codes 2024, 2026 and 5143).

C. The following administrative fines may be assessed, per occurrence, to pH test results showing the user's pH level to be outside the approved range of 6 - 10.

±0.5 units from the standard........	$ 100.00
±1.0 units from the standard........	$ 200.00
±1.5 units from the standard........	$ 350.00
± 2.0 units from the standard.......	$ 400.00
Greater than ±2.0 units from the standard..................	$ 500.00

D. The cost of gathering and analyzing a compliance sample following a finding of exceedance or non-compliance under 6.5 of these Rules and Regulations is built into the fine schedules set out in paragraphs B. and C. above.

7. SEPTIC TANK CLEANINGS AND INDUSTRIAL WASTES ACCEPTED AT THE TREATMENT PLANT

A. Wastes that can be treated in digesters: Septic tank cleanings, milk whey and other wastes acceptable to the Superintendent of the Water Pollution Control Plant for treatment in the plant digesters from waste hauler trucks will be handled by the Treatment Plant for charges set out in Section 51.076 of the Code.

B. Wastes that cannot be treated in digesters: Commercial or industrial wastes acceptable to the Superintendent of the Water Pollution Control Plant, but which are not acceptable for treatment in the plant digesters (i.e., which must go to lagoon or other disposal), and which are received from waste hauler tank trucks, will be handled by the Treatment Plant on an individual contract basis as approved by the Superintendent and the Board of Public Works, at a charge adequate to reimburse the Utility for materials, labor, and overhead costs estimated to dispose of such wastes.

8. SIGNIGICANT INDUSTRIAL USER

A. When an industry has been determined by the Superintendent to be a "Significant Industrial User," the Superintendent shall notify such industry and may, at Superintendent's sole discretion, require the installation, within one hundred twenty (120) days, of flow metering equipment for the purpose of determining the sewage flow or flows to the municipal sewer.

B. The specifications for any flow metering device and plans for installation shall be submitted to and approved by the Superintendent prior to its installation.

C. The cost of, and responsibility for, installation and maintenance of such equipment shall be the sole responsibility of said user.

D. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

9. CONTROL MANHOLES

A. Any person who discharges or may discharge industrial wastes into a public sewer via any means such as floor drains, sinks, catch basins, etc., shall be required by the Superintendent to construct and maintain, at his own expense, one or more control manholes, at a specified location or locations, to facilitate the observation, measurement, and sampling of owner's waste. Such manholes shall be constructed in accordance with the standards and specifications of the City. The Superintendent may also require the person to install and maintain in any such manhole, at said person's expense, an approved volume-measuring device. Plans and/or shop drawings for the installation of control manholes and related equipment shall be approved by the Superintendent before any construction is begun.

B. Any building sewer which will have or has the potential of discharging prohibited wastes and/or wastes in excess of normal domestic sewage shall have a Control Manhole installed in accordance with either the "Specifications and Standard Drawings," revised 1980, of the Water Pollution Control Utility or an alternate mechanism for sampling approved by Superintendent.

C. The Utility has deemed it necessary to require the installation of a Control Manhole in all building sewer lines where the Superintendent has determined that any of the following conditions exist:

    1. Abnormal maintenance of the sewer has been required to prevent and/or correct the occurrence of blockages, back-ups, etc., which have resulted in property damage; and evidence indicates that the abnormal maintenance is the result of the discharge of wastes in excess of limitations set forth in the Fort Wayne Municipal Code.

    2. There exists a concentration of persons discharging wastes into a public sewer through a building sewer or sewers not having Control Manholes.

    3. The results of laboratory analysis have demonstrated that the strength of wastes being discharged into the public sewer are in excess of limitations set forth in the Fort Wayne Municipal Code.

D. The Superintendent shall notify, in writing, any person who has been identified to be in violation of any of the above-mentioned conditions and shall require such person or persons to install one or more Control Manholes.

E. Following notification, a Control Manhole shall be installed within one hundred twenty (120) days.

F. Control Manholes shall be located upon private property, shall receive all wastes from the property and shall be readily accessible to representatives of the Utility in order to facilitate observations, measurement, and sampling of the waste being discharged.

G. The cost of and responsibility for installation and maintenance of Control Manholes and flow-metering equipment shall be the sole responsibility of the property owner or utility user.

H. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

10. **GREASE AND SAND TRAPS**

A. Whenever the Superintendent determines that interceptors or traps are needed to protect the sewerage collection system or the Sewage Treatment Plant from grease, oil, sand, or similar substances occurring in any person's sewage and so notifies said person, then such traps shall be promptly installed by said person at said person's expense and shall be so maintained by that person that none of such substances can be discharged or carried over into the public sewers. All traps or interceptors shall meet the City's standards as to construction, location, and installation.

B. Any building sewer which will have or has the potential of discharging waste containing grease, oil, sand or similar substances, having quantity and characteristics above that of a normal single family residence waste, shall have a grease and/or sand trap installed in a manner to provide, at all times, the effective removal of grease, oil and/or similar substances before discharge to the public sewer.

C. The Utility has deemed it necessary to require the installation of a grease and/or sand trap in either the building sewer or within the building's plumbing system in accordance with the "Uniform Plumbing Code," Latest Edition, Chapter 7, minimum requirements, where the Superintendent has determined that any one of the following conditions exist:

1. Abnormal maintenance of the sewer has been required to prevent the occurrence of blockages, back-ups, etc., resulting in property damage; and evidence indicates that the cause of this abnormal maintenance is the result of the discharge of prohibited wastes and/or wastes in excess of limitations set out in the Fort Wayne Municipal Code.

2. There exists a concentration of persons discharging prohibited wastes into a public sewer without the benefit of any grease, and/or sand trap.

3. The results of laboratory analysis have demonstrated that the strength of wastes being discharged into the public sewer are in excess of the limitations set out in the Fort Wayne Municipal Code.

D. The Superintendent shall notify, in writing, any person who has been identified to be in violation of any of the above-mentioned conditions and shall require such person or persons to install grease and/or sand trap.

E. Following notification, the grease and/or sand trap shall be installed within one hundred twenty (120) days.

F. The cost of, and responsibility for installation and maintenance of grease and sand traps shall be the sole responsibility of the property owner or utility user.

G. The Board of Public Works may, upon application and proof of economic hardship or other reason, extend the time within which such equipment must be installed.

11. SERVICE CHARGES

A. General

1. Charges for sewerage service shall be computed and billed by the General Office of the City Utilities. Bills shall be rendered approximately monthly, unless additional billing is required to reflect customer changes, meter changes, service terminations, initial billings, or is otherwise required to adjust billing cycles.

2. Billings for sewerage service shall be rendered with and shall be due and payable on the same due date as billings for water service to the same premises, if any, and if none, then within such billing cycle as the Utility may determine.

3. Charges for sewerage service shall be billed to the person being billed for water service, if any, unless by contract with the Utility, another person assumes responsibility for payment. Notwithstanding billing to, and assumption of responsibility by any person, charges for sewerage service shall remain the responsibility of the owner of the real estate, who shall hold the Utility harmless from any loss occasioned by the delinquency of the person billed, including all penalties, recording fees, attorney's fees, interest and court costs, if any.

4. The owner of the real estate shall, upon request to the Customer Service Department, have the right to examine the Utility's records of billing and collection to ascertain whether such charges have been paid, and the amount thereof.

5. Nothing herein contained shall permit the owner, or any person other than the person being billed, to inspect, examine or otherwise obtain confidential information including the income, employment, finances or social security number of the person being billed.

6. Charges for sewerage service levied pursuant to Chapter 51 of the Code, shall be due and payable on or before the due date stated on the bill. Any charge for sewerage and/or stormwater service not paid by the due date shall be delinquent, and may be collected, with any applied penalty, recording fees, service charges, attorney's fees, interest and court costs, if any, in accordance with Chapter 51 of the Code and with Indiana Code Sections 36-9-23-31 through 36-9-23-34.

7. The rates, charges, penalties and surcharges set out herein and/or as fixed in Chapter 51 of the Code, shall extend to and cover any additional premises hereafter served, without hearing or notice. If the first billing to a new user covers a period other than a full billing month, then the charges for sewerage service for such billing shall be made in accordance with standard practice employed by the City's Water Utility.

8. Sewer billing shall commence with the billing for water service, the meter set date or date of occupancy whichever shall first occur.

9. In the event the sewer user is not a metered water customer, flat charges shall be imposed and charged as follows:

   a. Residential - flat charges as established for in-city or out-of-city service; multi-family dwellings shall be billed at the appropriate flat rate multiplied by the number of units accommodated.

   b. Commercial, Industrial, Institutional and Governmental - the Water Pollution Control Plant Superintendent, or his designated representative, shall determine whether the account shall be billed on a flat rate or whether a water or sewerage meter is required. Such flat charges shall be determined by the superintendent or his designee. Any required meters shall be installed at the owner's expense.

c. The Utility shall retain documentation supporting its estimates and the billings based thereon. Such determination of billings may be reviewed and adjusted by the Utility at any time. However, no adjustments, additional charge or refund may be made more than six (6) years after the due date of the billing sought to be adjusted.

10. Any property found to be connected to a public sewer for the discharge of sewage without payment therefor shall be placed on monthly billings immediately, and the user of the service shall be back-billed for the period of use either at the metered use charge or the monthly flat charge set out in Chapter 51 of the Code.

11. Any property which has a public sewer available but is not connected thereto shall be referred to the City-County Board of Health for enforcement of applicable sanitary codes requiring connection to such public sewer.

B. DELINQUENCIES

1. A penalty of ten (10%) percent of the amount of the charges for sewerage service and/or stormwater service shall be attached to the delinquent charges.

2. Where the property having a delinquent account for charges for sewerage service is served by the City's Water Utility, the Utility may, after reasonable notice to the person being billed, shut off water service to the property. Water service shall not be restored until the delinquent account, together with the costs of turning off and turning on the water, shall have been paid.

3. Delinquent charges for sewerage services and/or stormwater services, and applied penalties, recording fees, and service charges may be made a lien upon the property and may be collected in accordance with the provisions of Indiana Code 36-9-23-32 and 36-9-23-33.

4. In addition to all other remedies provided, the Utility may, after reasonable notice to the person being billed, terminate sewerage service to the property. Sewerage service shall not be restored until the delinquent account, together with the

costs of terminating and reconnecting the sewer service, shall have been paid.

5. In addition to the foregoing remedies, the Utility may recover the amount of the charges for sewerage services penalties, and a reasonable attorney's fee in a civil action, and may foreclose liens established by Chapter 51 in accordance with Indiana Code 36-9-23-34 when the delinquent party is the property owner.

12. ENFORCEMENT

A. In accordance with Section 51.111 of the Code, the power to enforce the provisions of Chapter 51 of the Fort Wayne Municipal Code not specifically dealt with elsewhere shall be vested in the Superintendent of the Water Pollution Control Plant and such deputies as he, with the approval of the Board of Public Works, may appoint for such purposes.

B. Whenever said Superintendent or any such deputy shall deem it appropriate to charge any person with a violation(s) of Chapter 51, he may issue to such person a Notice of Violation and/or Summons, which shall be processed according to the provisions of Indiana Code (34-4-32-1), or may employ administrative remedies in accordance with Indiana Code 36-1-6-9 and the City Code.

13. ENFORCEMENT PROCEDURE

A. It shall be the policy of the City of Fort Wayne to enforce the provisions of Chapter 51 in accordance with Section 51.111 of the Code, except in the following situation. Contractually specified enforcement procedures which conflict with any portion of this Section shall take precedence over the conflicting portion of said Section.

B. Specific enforcement responses by the City are more fully set out in the City of Fort Wayne's Water Pollution Control Plant Enforcement Response Plant, 1994, which plan is specifically incorporated into each Industrial Waste Discharge Permit and into these Rules and Regulations by reference.

C. All actions taken by the City requiring a response by the user shall be made in writing and sent by certified mail to ensure receipt by the user.

14. RIGHT OF APPEAL

Any party aggrieved by an order or determination of the Water Pollution Control Utility may, within fifteen (15) days after receipt of a Notice informing such party of the decision or order, appeal such decision or order to the Board of Public Works of the City of Fort Wayne by filing a petition seeking such appeal with the Clerk of the Board of Public Works stating the basis of such appeal, including the alleged error in the decision or order. After receipt of such petition the Board of Pubic Works, after due and proper notice to all parties, shall hold a hearing on said petition and at the conclusion thereof or within thirty (30) days thereafter, enter a decision either affirming, denying, revising, amending, altering, or modifying such decision or order as the Board of Public Works, by majority vote, shall so rule. A party or person aggrieved by the Board of Public Works shall have the right to judicial review of such determination in accord with and pursuant to the same provision of the Indiana Administrative Adjudication Act (4-22-1-14 et seq.) as are applicable to appeals and review of decisions of agencies of the State of Indiana.

15. PUBLIC NOTIFICATION

In accordance with the provisions of 40 CFR 403.8 (f) (2) (viii), the City shall annually publish in Allen County's largest daily newspaper, a list of all Industrial and/or commercial users which are in significant non-compliance with Chapter 51 of the Code or any State or Federal Pretreatment Standard. For purposes of this Section, significant non-compliance shall be fined as set out in Section 1. above. A significant violation shall mean a violation which (1) remains uncorrected forty-five (45) days after notification of noncompliance; (2) which is part of a pattern of noncompliance over a twelve (12) month period; (3) which involves a failure to accurately report noncompliance or (4) which resulted in the Water Pollution Control Utility exercising its emergency authority under 40 CFR 403.8 (f)(1)(iv)(B).

16. SUBMISSION OF DATA ON INDUSTRIAL WASTE

In accordance with Section 51.035 of the Code, all industries subject to Federal categorical standards shall file with the Superintendent a priority pollutant scan for Total Toxic Organics (TTO's) at least biannually or whenever a process change occurs, whichever occurs first.

As set out in 40 CFR 403.6(a)(2)(ii), all Industrial Users shall include certification statements and all self-monitoring reports.

An Industrial User shall notify the WPC Plant within twenty-four (24) hours of becoming aware of a violation of Chapter 51 of the Code of Laws of the City of Fort Wayne or is wastewater discharge permit. The User must also resample its wastewater within thirty (30) days of the violation, and submit all results to the WPC Plant.

17. PRESENT RULES SUPERSEDE PRIOR RULES

All rules and regulations heretofore promulgated by the Utility governing the service supplied by the Utility are superseded and replaced by the foregoing Rules and Regulations of the Water Pollution Control Utility and/or other specifications, rules and regulations referred to herein and made a part hereof.

18. **REMEDIES NOT EXCLUSIVE**

The remedies provided to the Utility by these Rules and Regulations shall not be exclusive and shall be in addition to all other remedies which the Utility has in law or equity.

19. **AMENDMENTS AND REVISIONS**

The Board of Public Works of the City of Fort Wayne, Indiana, reserves the right, by appropriate action, to amend, modify, delete, change or otherwise revise these Rules and Regulations as it may deem, from time to time, to be desirable and/or necessary.

APPROVED by the Board of Public Works in their regular meeting, AUGUST 10, 1994.

Linda Buskirk
Linda Buskirk, Chairman, Board of Public Works

James Owen
C. James Owen, Member, Board of Public Works

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

Attachment for Rules + Regs

Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 2

To Tim Cremeans		From Erik Kline	
Co. T+B Ft. Wayne		Co. GM EAS	
Dept.		Phone # 8227 1868	
Fax # 8 2462505		Fax # 8227 1422	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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File Enforcement

Where's that?

NOT GOOD POLICY

317-232 8637

MEMORANDUM

SUBJECT: Determining Industrial User Compliance Using Split Samples

FROM: Richard G. Kozlowski, Director
Enforcement Division

TO: Mary Jo M. Aiello, Acting Chief
Bureau of Pretreatment and Residuals

This memo is a response to your letter of September 30, 1991, where you requested written clarification regarding the use of split samples for determining industrial user (IU) compliance under the Pretreatment Program. Specifically, you requested guidance on how to use the data from split samples for determining IU compliance in situations where split samples yield different analytical results. The fundamental question posed by your inquiry is whether all analytical results must be used when evaluating the compliance status of IUs and how to use those results for determining compliance. In situations where split samples exist and both samples were properly preserved and analyzed, POTWs should evaluate compliance with applicable Pretreatment Standards in the manner described below.

When evaluating the compliance status of an industrial user, the POTW must use all samples which were obtained through appropriate sampling techniques and analyzed in accordance with the procedures established in 40 CFR Part 136[1]. The Environmental Protection Agency (EPA) has consistently encouraged Publicly Owned Treatment Works (POTWs) to periodically split samples with industrial users as a method of verifying the quality of the monitoring data. When a POTW splits a sample with an IU, the POTW must use the results from each of the split samples.

A legitimate question arises, however, when a properly collected, preserved and analyzed split sample produces two different analytical results (e.g., one which indicates compliance and the other shows noncompliance, or where both indicate either compliance or noncompliance but the magnitudes are substantially different). In these instances, questions arise regarding the compliance status of the IU, and what should be done to reconcile the results.

(1) REALLY DOESN'T HAVE TO DO ENFORCEMENT BUT COMPLIANCE
(2) IS A GUIDANCE DOCUMENT
(3) ONLY A RECOMMENDATION

---

[1] See Memorandum, "Application and Use of the Regulatory Definition of Significant Noncompliance for Industrial Users," U.S. EPA, September 9, 1991.

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There is inherent variation in all analytical measurements, and no two measurements of the same analyte (even when drawn from the same sample) will produce identical results. When a split sample is analyzed using appropriate methods, there is no technical basis for choosing one sample result over the other for determining the compliance status of a facility. Since this is the case for all split samples which have been properly analyzed, the POTW should average the results from the split and use the resulting average number when determining the compliance status of an IU. Using the average of the two sample results avoids the untenable situation of demonstrating compliance and noncompliance from the same sample.

If the split sample produces widely divergent results or results which are different over a long period of time, then the cause of the discrepancy between the analytical results should be reconciled. When this happens, the POTW should investigate Quality Assurance and Quality Control (QA/QC) procedures at each laboratory involved. For example, the POTW could submit a spiked sample (i.e., a sample of known concentration) to the laboratories involved (preferably blind) to determine which laboratory may be in error.

In situations where one or both of the analytical results is determined to be invalid, there are compliance and enforcement consequences. If one of the analytical results is determined to be invalid, the average value for that sample is also invalid. In this situation, the value for this sample should be the value of the sample which was not determined to be invalid (e.g., if the IU's results are determined to be invalid, the POTW should use its sample for assessing compliance, and vice versa). If both samples are determined to be invalid, the averaged result from that sample should be discarded and not used for compliance assessment purposes. In either case, the POTW must recalculate the compliance status of the IU using all remaining valid sample results.

In summary, whenever split samples are taken and both are properly preserved and analyzed, the POTW should average the results from each sample and use the averaged value for determining compliance and appropriate enforcement responses. Where the sample results are widely divergent, the POTW should instigate QA/QC measures at each of the analytical laboratories to determine the cause of the discrepancy. If one or both of the samples are invalid, the POTW must recalculate the compliance status of the IU using all valid results.

If you have any further questions regarding these questions, please feel free to call me at (202) 260-8304. The staff person familiar with these issues is Lee Okster. Lee can be reached at (202) 260-8329.

cc: Cynthia Dougherty
Regional Pretreatment Coordinators
Approved State Pretreatment Coordinators
Bill Telliard

The City of Fort Wayne
Paul Helmke, Mayor

MEMORANDUM

LAW DEPARTMENT

TO: FORT WAYNE CHAMBER OF COMMERCE
WATER QUALITY SUBCOMMITTEE

FROM: LINDA PETERSON POWELL, STAFF ATTORNEY

DATE: June 24, 1994

SUBJECT: RESOLVING COMPLIANCE DISPUTES

Following is the City's proposal for implementing a uniform policy to resolve disputes in determining an Industrial User's compliance with its permit, local, state and federal regulations. This policy applies only to metals and negates the City's application of technical review criteria for metals for surveillance sampling purposes.

An Industrial User shall have the opportunity to request a split of a sample taken by the City in performing its industrial surveillance testing under its Pretreatment Program. If no split is requested, the analytical results obtained by the City shall determine that User's compliance.

By requesting a split sample, the Industrial User agrees to provide the City with written notice within five (5) days of discovery of any analytical results showing the split to contain any metals in an amount exceeding the limit for that parameter in the user's Industrial Discharge Permit. The user must also verbally notify and alert the City of any pollutant parameter exceedance, at the time of detection or within twenty-four (24) hours of notification thereof by the contract laboratory.

In the event a split is taken and either or both analysis show non-compliance, the highest result shall be considered the official value. Enforcement action, through issuance of a notice of violation or as otherwise provided for in the Sewer Utility Rules and Regulations or Chapter 51 of the Fort Wayne Code of Ordinance, shall be initiated when the results of either laboratory analysis evidence a violation, unless the Industrial User files a timely appeal. Appeals must be in writing and submitted to the City within fourteen days of notification of enforcement action.

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The following steps apply only when the analytical results of the split by the two labs are dissimilar and one result shows compliance and the other shows a violation of the User's permit. In this instance, the User must file an appeal if it wishes to challenge or avoid enforcement action. The first step is to then determine whether the sample results are widely divergent. A twenty percent (20%) relative percent difference (RPD) calculation, set out in EPA SW 846, shall be applied to determine when results are widely divergent. If, according to this calculation, the results are not widely divergent, the City shall average the two laboratories' results in order to determine whether the sample shows compliance for the particular parameter involved. The numerical value obtained through the average of results shall be the official number used for this purpose.

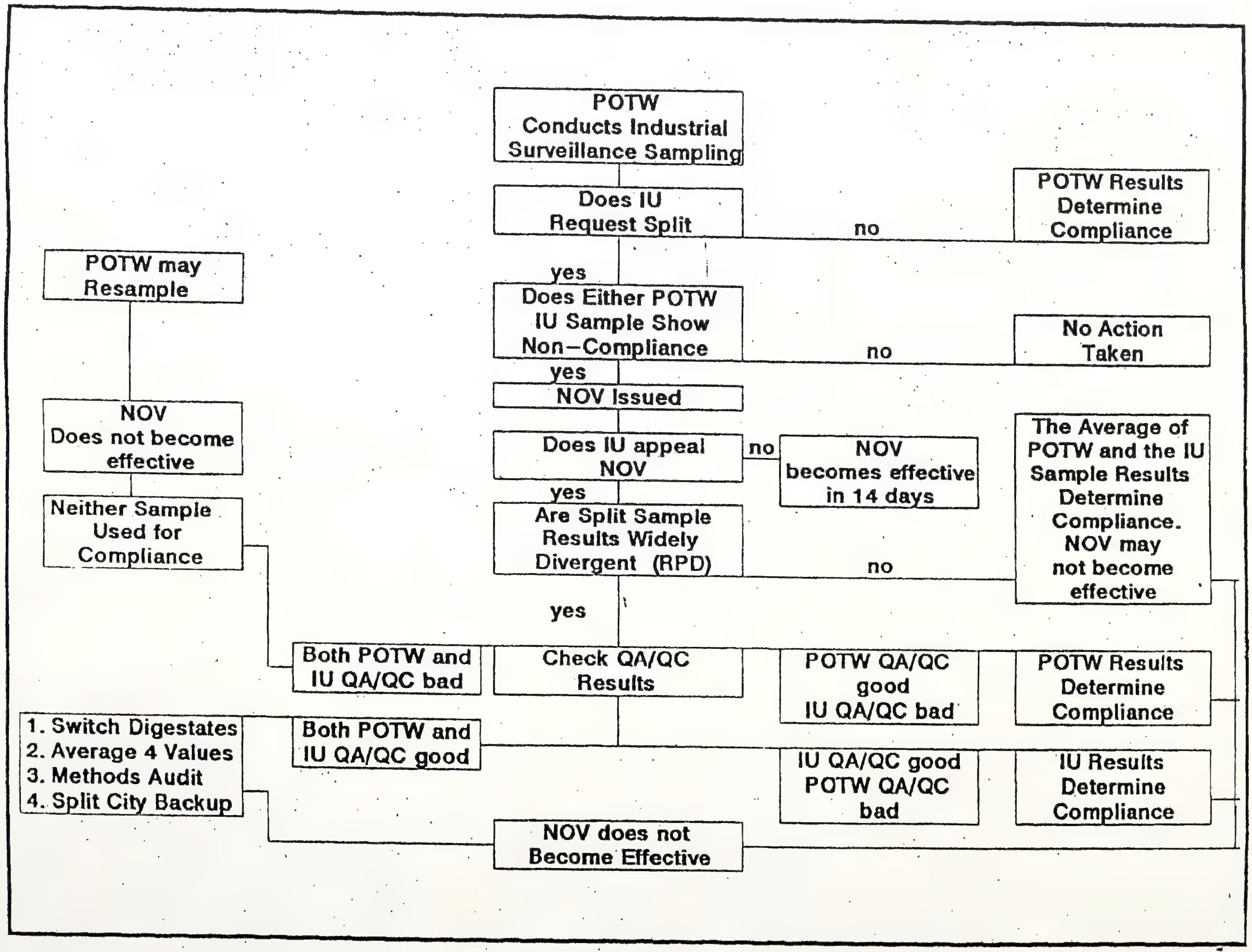
If, according to the 20% RPD calculation, the split sample results are widely divergent a resolution must be reached as to the cause for the dissimilarity. Sample preservation, chain of custody, analytical method and quality assurance/quality control (QA/QC) for both labs shall be evaluated by the City. If this evaluation shows the QA/QC of one lab to be good and the other flawed, the results obtained by the lab evidencing appropriate analytical methodology and QA/QC shall be used to determine compliance. If the QA/QC data from both labs is faulty, both the results shall be discarded and a resample taken at the City's discretion. However, when QA/QC results from both labs are good, the digestate from each shall be exchanged and reanalyzed by the other, producing four (4) pieces of data for the parameter at issue. For the purpose of determining compliance, all valid numbers shall be averaged, and this result shall constitute the official value for that parameter. The City reserves the right to perform a methods audit on the contract laboratory at its discretion, where the results obtained for any split warrant such investigation.

In any case where the Industrial User or contract laboratory cannot provide adequate documentation and digestate to satisfy the above evaluation, the City's results shall be controlling on the issue of compliance.

The original enforcement response and any enforcement action taken during the time of the appeal shall be re-evaluated in light of the above analysis and rescinded if not justified in light of the appeal resolution.

The original enforcement response and any enforcement action taken during the time of the appeal shall be reevaluated in light of the above analysis and rescinded if not justified in light of the appeal resolution.

The City reserves the right to request and obtain a split from any sample taken by the Industrial User of its own effluent.


POTW Conducts Industrial Surveillance Sampling
Does IU Request Split
no
POTW Results Determine Compliance
yes
Does Either POTW IU Sample Show Non–Compliance
no
No Action Taken
yes
NOV Issued
Does IU appeal NOV
no
NOV becomes effective in 14 days
yes
Are Split Sample Results Widely Divergent (RPD)
no
The Average of POTW and the IU Sample Results Determine Compliance. NOV may not become effective
yes
Check QA/QC Results
POTW QA/QC good IU QA/QC bad
POTW Results Determine Compliance
IU QA/QC good POTW QA/QC bad
IU Results Determine Compliance
Both POTW and IU QA/QC bad
Neither Sample Used for Compliance
NOV Does not become effective
POTW may Resample
Both POTW and IU QA/QC good
1. Switch Digestates
2. Average 4 Values
3. Methods Audit
4. Split City Backup
NOV does not Become Effective

HI 81-112-8
8-3 94

RESOLUTION 525-1994

I-469 Project #F-170 & NH-170-2
(R-21269)
Sanitary Sewer Relocate

RESOLVED by the Board of Public Works that it is deemed necessary to relocate a section of 24" sanitary interceptor sewer to facilitate construction of the I-469 Project where it intersects I-69. The project is generally described by the following area:

> Bounded by the Wallen Road and I-69 intersection on the South. The new right-of-way line of I-469 on the North. This relocation runs Northeasterly along the West limited access line of the new interchange.
>
> Beginning at an existing manhole located 330± L.F. East and 100± L.F. North of the intersection of I-69 and Wallen Road, (25' North of North right--of-way Wallen Road 170' East of East right-of-way I-69); thence Westerly a distance of 130' to Manhole #1; thence Northwesterly a distance of 600' to Manhole #2; thence Northwesterly a distance of 460' to Manhole #3; thence Northeasterly a distance of 492' to Manhole #4; thence Northeasterly a distance of 354' to Manhole #5; thence Northeasterly a distance of 140' to a Manhole #6; thence Northeasterly a distance of 426' to Manhole #7; thence Easterly a distance of 230' to Manhole #8; thence Easterly a distance of 327' to Manhole #9; thence Northerly a distance of 384' to Manhole #10; thence Northerly a distance of 357' to Manhole #11. Manhole #11 being the point of terminus situated approximately 2530' North of intersection of I-69 and Wallen Road and approximately 165' West of centerline of I-69.
>
> Sewer shall be 24" in diameter.

Said sewer with all appurtenances shall be constructed in accordance with City of Fort Wayne Sewer Utility Standards and Specifications.

The costs of said sewer relocation shall be paid by the City of Fort Wayne Sewer Utility Funds and be reimbursable through State and Federal Agencies.

APPROVED this 3 AUGUST 1994

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

____

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

MI 81-110-14
7-20-94

RESOLUTION 523-94

QUEEN/MANFORD - LOGAN DRAINAGE IMPROVEMENT

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

Part I: QUEEN/MANFORD

Beginning at an existing manhole located 2± LF North and 2± LF East of the centerline intersection of McKee and Queen St. thence South 253± LF to a proposed manhole thence West 346± LF to a proposed manhole and the termination of Part I.

Part II: LOGAN AVE.

Beginning at an existing inlet located 13± L.F. south of the centerline of Logan Ave. and 22± L.F. west of the centerline of Redwood Ave. Thence West 428± L.F. to a proposed inlet and the terminus of the sewer.

Said storm sewer shall be 15" & 12" in diameter.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by Community & Economic Development funds of the City of Fort Wayne.

ADOPTED this 20 day of JULY, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

dh\resoluti\queen

H1 81-110-13
7-20-94

IMPROVEMENT RESOLUTION #6338-94
WASHINGTON CENTER ROAD IMPROVEMENTS - PHASE II: GOSHEN RD. TO EAST OF RIDGEBROOK DRIVE - CEDIT BOND -

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

WASHINGTON CENTER ROAD FROM GOSHEN ROAD TO EAST OF RIDGEBROOK DRIVE BY WIDENING PAVEMENT, RESURFACING, NEW SHOULDERS, DRAINAGE DITCH REHABILITATION, PAVEMENT MARKINGS AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 20 day of JULY, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-107-14
7-13-94

IMPROVEMENT RESOLUTION #6349-94
BIRCHWOOD AVENUE - PONTIAC ST. TO McCORMICK AVE.
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BIRCHWOOD AVENUE FROM PONTIAC STREET TO McCORMICK AVENUE BY RECONSTRUCTING ROADWAY AND CONSTRUCTION OF NEW SIDEWALKS, WHICH INCLUDES NEW BITUMINOUS PAVEMENT, CONSTRUCTING NEW CURBS, DRIVEWAY APPROACHES, CURB RAMPS, REHABILITATE STORM SEWER STRUCTURES AND MULCHED SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 13 day of JULY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-107-13
7-13-94

IMPROVEMENT RESOLUTION NO. 6348-94
SOUTH WAYNE AVENUE - HOME AVENUE TO CREIGHTON AVENUE
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

SOUTH WAYNE AVENUE FROM HOME AVENUE TO CREIGHTON AVENUE BY RECONSTRUCTING THE CURBS, SIDEWALKS, DRIVE APPROACHES, CURB RAMPS AND REHABILITATING THE STORM SEWER STRUCTURES AS NEEDED.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements as above described and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 13 day of JULY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

C. James Owen
C. James Owen, Member

ATTEST: Patricia J Crick
Patricia J. Crick
Secretary and Clerk

HI 81-107-12
7-13-94

RESOLUTION APPROVING COMPROMISE 81-107-12

WHEREAS, in the course of assembling land for Phase 1 of the Headwaters project, certain environmental problems have been in discovered in connection with the real estate described in the attached proposed settlement agreement, and

WHEREAS, the state of Indiana Department of Environmental Management has approved an abatement plan proposed by the City of Fort Wayne, and

WHEREAS, a dispute has arisen between the land owners and the City of Fort Wayne concerning apportionment of the costs for abatement, and

WHEREAS, parties have begun litigation for the condemnation of the parcel which could delay the acquisition and involve substantial litigation expense, and

WHEREAS, parties have proposed a settlement as evidenced by the attached tentative agreement,

NOW THEREFOR BE IT RESOLVED that the Board of Public Works of the City of Fort Wayne, approve in principle the settlement of litigation which caps property owner contributions to the abatement plan at $46,500 and provides indemnity for the property owners against any future environmental claims in return for conveying the property to the city and dismissal of all property owner claims against the city.

BE IT FURTHER RESOLVED, that Counsel for the Board and the Agents for the Board be and they hereby are authorized to finalize the language of the settlement agreement.

DULY ADOPTED BY THE BOARD OF PUBLIC WORKS, CITY OF FORT WAYNE THIS 13th day of July, 1994.

James Owen Cjt

Kathrine A. Carain

ZSTATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

IN THE ALLEN CIRCUIT COURT
CIVIL DIVISION
CAUSE NO. 02C01-9404-CP-303

CITY OF FORT WAYNE,)
)
Plaintiff,)
v.)
)
RICHARD D. ROBERTS,)
STEVEN A. HOBBS,)
DARICE C. HOBBS,)
WESLEY C. STEWART,)
AUDITOR OF ALLEN COUNTY,)
INDIANA,)
TREASURER OF ALLEN COUNTY,)
INDIANA, and)
ANTHONY WAYNE CREDIT)
ADJUSTERS,)
)
Defendants.)

COMPROMISE, SETTLEMENT AND MUTUAL RELEASE

This agreement made and entered into this _____ day of July, 1994, by and between the City of Fort Wayne, "Plaintiff," and Richard D. Roberts, Steven A. Hobbs, Darice C. Hobbs, Wesley C. Stewart, Auditor of Allen County, Indiana, and Treasurer of Allen County, Indiana, "Defendants," is a compromise, settlement and release whereby all of the above mentioned parties, except Anthony Wayne Credit Adjusters which has not entered an appearance and/or filed a response and is therefore defaulted, hereby extinguish their mutual rights and claims arising from their dispute and differences set forth in the Complaint for Condemnation of Real Estate filed by Plaintiff on April 20, 1994.

NOW, THEREFORE, the parties in consideration of the mutual covenants hereinafter contained, agree as follows:

1. That the real estate which is the subject of this Compromise, Settlement and Mutual Release was generally described in the Complaint for Condemnation of Real Estate as Tract No. 1 and is located in Allen County, Indiana, and more particularly described as follows, to-wit:

> Part of Lot 2 Eliza Hanna Srs. Subdivision in the Northeast Quarter of Section 2, Township 30 North, Range 12 East, as recorded in Deed Record 84, page 406, described as follows, to-wit:
>
> Commencing in the West line of Clinton Street at a point situated 185.0 feet North of the Southeast corner of said Lot 2; thence North on the said West line of Clinton Street 107.0 feet to its intersection by the South line of Leslie Drive; thence Southwesterly by a deflection left of 110 degrees, a distance of 212.83 feet along the South line of said Leslie Drive; thence South and parallel to the West line of said Clinton Street; 40.0 feet; thence Easterly by a deflection of 91 degrees, 48 minutes left a distance of 200.1 feet to the point of beginning.
>
> EXCEPTING THEREFROM:
>
> A parcel of land located in Lot #2 in Eliza Hanna, Senior's Subdivision to the City of Fort Wayne, Allen County, Indiana, and more particularly described as follows, to-wit:
>
> Commencing at a point on the West right-of-way line of Clinton Street and the South line of Lot #2 in Eliza Hanna Senior's Subdivision to the City of Fort Wayne, Indiana; thence North along said West right-of-way line a distance of 185.0 feet, said point being located 107.0 feet South of the South right-of-way line of Leslie Drive; thence by a deflection left of 91 degrees, 46 minutes, 10 seconds and parallel to the South line of said Lot #2 a distance of 28.80 feet to the point of beginning. Beginning at the above described point; thence continuing Westerly on the last described line a distance of 60.0 feet; thence by a deflection right of 91 degrees, 46 minutes, 10 seconds and parallel to said West right-of-way line a distance of 6.0 feet; thence by a deflection right of

88 degrees, 13 minutes, 50 seconds and parallel to said South line a distance of 60.0 feet; thence by a deflection right of 91 degrees, 46 minutes, 10 seconds and parallel to said West right-of-way line a distance of 6.0 feet to the point of beginning.

2. That the fair market value of Tract No. 1 is $66,500.00.

3. That Defendants Richard D. Roberts, Steven A. Hobbs, Darice C. Hobbs and Wesley C. Stewart's liability for the environmental clean-up of Tract No. 1 shall be capped at the sum of $46,500.00.

4. That Defendants Richard D. Roberts, Steven A. Hobbs, Darice C. Hobbs and Wesley C. Stewart shall receive the total sum of $20,000.00 in full and complete settlement of all claims and interests they may have in and to Tract No. 1 and, upon receipt of the $20,000.00, agree to convey to Plaintiff, marketable title (according to the Standards of Marketability prevailing in Allen County, Indiana) to Tract No. 1 by Warranty Deed in a form acceptable to Plaintiff.

5. That Plaintiff shall control and manage all activities involving the clean-up of Tract No. 1 pursuant to the reclamation plan previously submitted by Plaintiff to IDEM and approved by IDEM.

6. That Plaintiff shall be responsible for all clean-up costs associated with Tract No. 1 which exceed the sum of $46,500.00. In addition, Plaintiff shall be entitled to retain the

difference, if any, between the actual cost of clean-up and $46,500.00.

7. Defendants Auditor of Allen County, Indiana, and Treasurer of Allen County, Indiana, shall incur no cost nor shall they be responsible for the environmental clean-up of Tract No. 1 and the City of Fort Wayne agrees to indemnify and hold them harmless from any such cost and/or expenses.

8. Defendants Richard D. Roberts, Steven A. Hobbs, Darice C. Hobbs and Wesley C. Stewart shall pay real estate taxes for the year 1993, payable during the year 1994, prorated to the date of closing. Plaintiff shall assume and pay any subsequent taxes. If at the time of closing the tax rate is not determined, taxes payable by either party shall be computed at the rate and assessment in effect at the time of closing.

9. Plaintiff shall take title to the real estate subject to all restrictions, limitations, conditions and easements of record. Nevertheless, Defendants Richard D. Roberts, Steven A. Hobbs, Darice C. Hobbs and Wesley C. Stewart shall satisfy all mortgages, liens or encumbrances against the real estate from the proceeds received by Plaintiff at closing. All leases on the premises shall be assigned to the city of Fort Wayne, effective March 1, 1994.

10. City's Covenants. City hereby covenants not to sue Settlors, their heirs or assigns with respect to:

a. any and all claims that City has asserted or could assert against Settlors, their heirs or assigns under CERCLA or any comparable state statute now in effect, in connection with implementation of the work and payment of costs under the remediation plan approved by the State of Indiana.

b. any claims which may be asserted or filed against Settlors, their heirs or assigns by City in connection with damages for injury to, destruction of, or loss of natural resources under Section 107 of CERCLA, 42 U.S.C. §9607 which may be alleged to be related to the site.

c. any claims which may be asserted or filed against Settlors, their heirs or assigns by City for nuisance, trespass, negligence or strict liability in tort in connection with the alleged arrangement for storage, treatment or disposal of hazardous substances by Settlors on the site.

City hereby covenants to indemnify and hold harmless Settlors for any amounts paid by Settlors to the City for damages herein. With respect to any claim or request for payment to which this indemnification and hold harmless provision applies, City shall have the right to negotiate over and defend against said claim or request for payment.

11. Claims by Settlors. In consideration of the entry into this Agreement, Settlors further covenant not to sue with respect to and agree not to make any claims which relate, directly or indirectly, to the matters covered under City's covenants herein,

including, but not limited to, challenging any remedial or removal measures selected for or undertaken at the site.

12. No Admission of Liability. The execution of this Agreement shall not, under any circumstance, be construed as an admission by an party to this Agreement of any liability with respect to the site or with respect to any waste containing or constituting hazardous substances allegedly at the site. This Agreement shall not constitute or be used as evidence of an admission of liability or fact or a concession of any question of law by the parties nor be admissable in any proceeding except in an action to seek enforcement of any terms herein.

13. Closing shall be as soon as possible upon receipt of evidence of marketable title. Possession of the real estate shall be delivered at closing. Defendants Richard D. Roberts, Steven A. Hobbs, Darice C. Hobbs and Wesley C. Stewart shall retain the risk of loss for insurance purposes until the date of closing.

14. This Compromise, Settlement and Mutual Release is intended to be a full settlement of the dispute, claim and cause of action set forth in Plaintiff's Complaint for Condemnation of Real Estate filed on April 20, 1994.

15. Upon completion of the above and foregoing covenants and agreements, each of the above-mentioned parties on behalf of itself, themselves, its and/or agents, stockholders, employees, representatives, assigns and successors hereby fully release and

discharge each other and their agents, stockholders, employees, representatives, assigns and successors from all rights, claims and actions which each party and its/their above-mentioned successors now have against the other and/or the other party's above-mentioned successors stemming from the Complaint for Condemnation of Real Estate filed by Plaintiff on April 20, 1994.

16. Defendant understands and agrees that this Compromise, Settlement and Mutual Release is a compromise of doubtful and disputed claims, and that the payment by Plaintiff of $20,000.00 and its acceptance of Defendants' liability cap of $46,500.00 for the environmental clean-up of the real estate is not to be construed as an admission as to the fair market value of the real estate and/or an admission of any liability on Plaintiff's part. All parties hereby released, expressly deny any liability to each other. Defendants acknowledge that their damages, if any, are uncertain and speculative. Defendants represent that they have relied upon their own knowledge, information and beliefs, or those of their experts, as to the extent of their damages, if any, and have not relied upon any representations by other parties and/or their attorneys.

17. The undersigned hereby declare and represent that each is an authorized representative of the parties hereto, that each has the authority to enter into this Compromise, Settlement and Mutual Release and that the execution by said representative fully

binds each party hereto. It is further understood that each party has carefully read the foregoing Compromise, Settlement and Mutual Release and that each party hereto fully understands its terms and provisions and that each party has entered to same without any coercion, force or threat.

18. Defendants Steven A. Hobbs, Darice C. Hobbs and Wesley C. Stewart hereby release any and all causes of actions, damages or claims associated with their Notice of Tort Claim filed pursuant to I.C. 34-4-16.5-7 and 34-4-16.5-9 with the City of Fort Wayne on or about May 27, 1994.

19. The terms of this Compromise, Settlement and Mutual Release are confidential. Accordingly, the terms of this document shall not be disclosed by the parties or their agents to anyone, except as requested by government authorities or excepting as is reasonably necessary in the preparation of income tax returns.

Dated this _______ day of July, 1994.

CITY OF FORT WAYNE

By:___________________________
Ronald R. Fletcher,
Executive Director of the
Fort Wayne Redevelopment
Commission

____
Solomon L. Lowenstein, Jr.
503 West Wayne Street
Fort Wayne, Indiana 46802
(219) 422-4655
Supreme Court No. 8922-02
Attorney for Defendant Richard
D. Roberts

____
John O. Feighner
HALLER & COLVIN

____
Peter G. Mallers
BEERS, MALLERS, BACKS & SALIN

444 East Main Street
Fort Wayne, Indiana 46802
(219) 426-0444
Supreme Court No. __________
Attorney for Defendants Auditor of Allen County, Indiana, and Treasurer of Allen County, Indiana

1100 Fort Wayne Bank Building
Fort Wayne, Indiana 46802
(219) 426-9706
Supreme Court No. 9001-02
Attorney for Defendants Steven A. Hobbs, Darice L. Hobbs and Wesley C. Stewart

H1 81-107-11
7-13-94

RESOLUTION 81-107-11

WHEREAS, the Board of Public Works for the City of Fort Wayne ("Board") is in the process of acquiring real estate which will be used for flood control and development of Headwaters Park, and

WHEREAS, the Board has previously entered into an agreement retaining the Fort Wayne Redevelopment Commission ("Commission") as agent for the Board to do the acquisition, and

WHEREAS, pursuant to the law, the Board has authorized the Commission to acquire the target properties at not greater than the average of two appraised valuations, and

WHEREAS, in certain cases, acquisition offers have been refused and as a result, litigation for condemnation has been instituted, and

WHEREAS, from time to time, the Commission has the opportunity to enter into a litigation settlement, and

WHEREAS, litigation settlements frequently have to be made on a very short time frame,

NOW, THEREFORE, BE IT RESOLVED that the Board do and the same hereby does authorize and direct the Commission, as its agent, to negotiate and enter into settlements of litigated acquisition cases.

BE IT FURTHER RESOLVED that so long as the amount of settlement in such litigation cases does not exceed the original offer price by more than twenty percent (20%), any such settlement by the Commission is hereby authorized and approved.

HI 81-100-25
6-29-94

CONTRACT
ALTERNATE 3. YARD WASTE PICKUP

THIS CONTRACT, made and entered into this 29 day of JUNE, 1994, by and between the City of Fort Wayne (hereinafter called the "City"), and Browning-Ferris Industries of Indiana, Inc. (hereinafter called the ("Contractor").

WITNESSETH, THAT the Contractor and the City for the consideration stated herein agree as follows:

I. **TERM.** This contract shall take effect on JANUARY 1, 1995, and remain in full force and effect for five (5) years ending on December 31, 1999. The parties agree that the City, by notice in writing and received at least one hundred eighty (180) days before the termination of the current term ending on December 31, 1999, that this Contract may be extended for an additional period of one (1) year upon the same terms and conditions as set forth in this Contract.

This Contract is subject to annual appropriations by the Common Council of the City of Fort Wayne. City covenants to include funds for this contract in its annual budget proposals during the term of this contract and to use its best efforts to secure approval by the Common Council. In the event the Common Council of the City of Fort Wayne shall fail to

BE IT FURTHER RESOLVED, however, that the Commission furnish a report of all settled cases not less frequently than bi-monthly to the Board.

Dated this 13 day of JULY, 1994.

BOARD OF PUBLIC WORKS FOR
THE CITY OF FORT WAYNE

Charles Layton

James Owen
James Owen

Katherine Carrier

ATTEST:
Patricia Crick
Patricia Crick, Clerk of the Board

appropriate the funds for payment of this Contract, the same shall terminate without penalty; provided, however, failure to appropriate the funds for this agreement shall prohibit City from entering into a contract for the services provided under this agreement with any other entity during the term of this contract.

II. **SCOPE OF WORK.** The Contractor, within the geographic area as described in Exhibit "A" attached hereto, shall furnish all personnel, labor, equipment, trucks, and all other items necessary to provide weekly, curbside pickup and disposal services for yard waste as that term is encompassed in the term "vegetative matter resulting from landscaping maintenance and land clearing projects" in IC 13-7-29-3 or other state statute, rule or regulation or local ordinance or regulations applicable to waste collection and disposal in Allen County, Indiana. Contractor shall perform all of the work called for and described in the Contract Documents insofar as the scope of work relates to Alternate 3. Excluded from the refuse to be collected hereunder are the following:

A. Leaves

C. Household wastes

D. Recyclable wastes

III. **COMPONENT PARTS OF THE CONTRACT DOCUMENTS.** The Contract

Documents shall include the following documents, all of which are as fully a part of this Contract as if herein set out verbatim, or if not attached, as if hereto attached.

(1) The Request for Bids

(2) The Instructions to Bidders

(3) The Contractor's Proposal for Alternate 3.

(4) The Contract Specifications

(5) The Performance Bond or Letter of Credit

(6) This Instrument

(7) Any addenda or changes to the foregoing documents agreed to by the parties hereto.

All provisions of the Contract Documents shall be strictly complied with and conformed to by the Contractor, and no amendment to this contract shall be made except upon the written consent of the parties, which consents shall not be unreasonably withheld. No amendment shall be construed to release either party from any obligation of the Contract Documents except as specifically provided for in such amendment.

This Contract is intended to conform in all respects to applicable statutes of the State of Indiana, and if any part or provision of this Contract conflicts therewith, the said statute shall govern.

IV. APPROVAL OF CONTRACT. This Contract, although accepted on behalf of the City by its Mayor and by the Board of Public Works, shall not be binding or obligatory upon the City unless and until it shall have first been approved by the Common Council of the City of Fort Wayne, and should the Common Council of the City of Fort Wayne fail to approve the same within forty-five (45) days after the date hereof, this Contract shall become and be wholly void.

IN WITNESS WHEREOF, We, the contracting parties, by our duly authorized agents, hereto affix our signatures and seals at Fort Wayne, Indiana, as of this 29 day of JUNE, 1994.

CITY OF FORT WAYNE, INDIANA
BY: ______________________
Paul Helmke, Mayor

City of Fort Wayne
By: Its Board of Public Works
____
Charles E. Layton, Director
____
Katherine A. Carrier, Member
____
C. James Owen, Member

ATTEST:
Patricia Crick
Patricia Crick (Clerk)

[illegible] Industries of Indiana, Inc
Contractor

BY:

(SEAL)

ATTEST: Margie L. Fahringer

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, personally appeared this 29th day of Jun, 1994, Paul Helmke and also Charles E. Layton, Katherine A. Carrier, C. James Owen and Patricia Crick known to me to be the Mayor, the members of the Board of Public Works and the Clerk of the Board of Public Works respectively, of the City of Fort Wayne, Indiana, acknowledged the foregoing agreement to be their voluntary act and deed as such Mayor, members of the Board of Public Works and the Clerk of the Board of Public Works the City of Fort Wayne and the voluntary act and deed of said City.

WITNESS my hand and notary seal.

[illegible], Notary Public
My Com exp 12/24/94
Resident of Allen Co.

Notary Public

My Commission Expires:

NANCY C TRACY
NOTARY PUBLIC STATE OF INDIANA
~~HANCOCK COUNTY~~
MY COMMISSION EXP AUG 14,1996

Resident of ___________ County, Indiana.

APPROVED AS TO FORM
AND LEGALITY

____
R. David Boyer, Associate City Attorney

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, personally appeared Gerald Z. [illegible] this 20th day of June, 1994, known to me to be the Divisional Vice President of Browning-Ferris Industries of Indiana Inc. and acknowledged the execution of the foregoing instrument to be his voluntary act and deed duly authorized on behalf of said corporation for the purposes herein mentioned acknowledged the foregoing agreement to be his voluntary act and deed as Divisional Vice President of Browning-Ferris Industries of Indiana Inc.

WITNESS my hand and notary seal.

Notary Public

NANCY C TRACY
NOTARY PUBLIC STATE OF INDIANA
HANCOCK COUNTY

My Commission Expires: MY COMMISSION EXP. AUG. 14,1996
Resident of ____________ County, Indiana.

HI 81-100-24
6-29-94

CONTRACT
ALTERNATE 2. CURBSIDE RECYCLING

THIS CONTRACT, made and entered into this 29 day of JUNE, 1994 by and between the City of Fort Wayne (hereinafter called the "City"), and Browning-Ferris Industries of Indiana, Inc. (hereinafter called the ("Contractor").

WITNESSETH, THAT the Contractor and the City for the consideration stated herein agree as follows:

I. **TERM.** This contract shall take effect on JANUARY 1, 1995, and remain in full force and effect for five (5) years ending on December 31, 1999. The parties agree that the City, by notice in writing and received at least one hundred eighty (180) days before the termination of the current term ending on December 31, 1999, that this Contract may be extended for an additional period of one (1) year upon the same terms and conditions as set forth in this Contract.

This Contract is subject to annual appropriations by the Common Council of the City of Fort Wayne. City covenants to include funds for this contract in its annual budget proposals during the term of this contract and to use its best efforts to secure approval by the Common Council. In the event the Common Council of the City of Fort Wayne shall fail to

HI 81-100-23
6-29-94

CONTRACT
BASIC RESIDENTIAL SOLID WASTE COLLECTION

THIS CONTRACT, made and entered into this 29th day of June, 1994, by and between the City of Fort Wayne (hereinafter called the "City"), and National Serv-All, Inc. (hereinafter called the ("Contractor").

WITNESSETH, THAT the Contractor and the City for the consideration stated herein agree as follows:

I. **TERM.** This contract shall take effect on JANUARY 1, 1995, and remain in full force and effect for five (5) years ending on December 31, 1999. The parties agree that the City, by notice in writing and received at least one hundred eighty (180) days before the termination of the current term ending on December 31, 1999, that this Contract may be extended for an additional period of one (1) year upon the same terms and conditions as set forth in this Contract.

This Contract is subject to annual appropriations by the Common Council of the City of Fort Wayne. City covenants to include funds for this contract in its annual budget proposals during the term of this contract and to use its best efforts to secure approval by the Common Council. In the event the Common Council of the City of Fort Wayne shall fail to

appropriate the funds for payment of this Contract, the same shall terminate without penalty; provided, however, failure to appropriate the funds for this agreement shall prohibit City from entering into a contract for the services provided under this agreement with any other entity during the term of this contract.

II. **SCOPE OF WORK.** The Contractor, within the geographic area as described in Exhibit "A" attached hereto, shall furnish all personnel, labor, equipment, trucks, one identifiable 18 gallon recycling container per household being served and all other items necessary to provide Bi-weekly, curbside recycling collection and marketing services as specified and to perform all of the work called for and described in the Contract Documents insofar as the scope of work relates to Alternate 2. Excluded from the refuse to be collected hereunder are the following:

A. Yardwaste as that term is encompassed in the term "vegetative matter resulting from landscaping maintenance and land clearing projects" in IC 13-7-29-3 or other state statute, rule or regulation or local ordinance or regulations applicable to waste collection and disposal in Allen County,

B. Leaves

appropriate the funds for payment of this Contract, the same shall terminate without penalty; provided, however, failure to appropriate the funds for this agreement shall prohibit City from entering into a contract for the services provided under this agreement with any other entity during the term of this contract.

II. **SCOPE OF WORK.** The Contractor, within the geographic area as described in Exhibit "A" attached hereto, shall furnish all personnel, labor, equipment, trucks and all other items necessary to provide Refuse collection, removal and disposal services as specified and to perform all of the work called for and described in the Contract Documents. Excluded from the refuse to be collected hereunder are the following:

A. Yardwaste as that term is encompassed in the term "vegetative matter resulting from landscaping maintenance and land clearing projects" in IC 13-7-29-3 or other state statute, rule or regulation or local ordinance or regulations applicable to waste collection and disposal in Allen County,

B. Leaves

C. Recyclable wastes including Aluminum cans, Tin cans, Plastic (Numbers 1 and 2),

C. Household wastes

D. Recyclable wastes not deposited in contractor's specially identified containers

III. COMPONENT PARTS OF THE CONTRACT DOCUMENTS. The Contract Documents shall include the following documents, all of which are as fully a part of this Contract as if herein set out verbatim, or if not attached, as if hereto attached.

(1) The Request for Bids

(2) The Instructions to Bidders

(3) The Contractor's Proposal for Alternate 2.

(4) The Contract Specifications

(5) The Performance Bond or Letter of Credit

(6) This Instrument

(7) Any addenda or changes to the foregoing documents agreed to by the parties hereto.

All provisions of the Contract Documents shall be strictly complied with and conformed to by the Contractor, and no amendment to this contract shall be made except upon the written consent of the parties, which consents shall not be unreasonably withheld. No amendment shall be construed to release either party from any obligation of the Contract Documents except as specifically provided for in such amendment.

Glass containers and jars, Steel Cans, Bimetal cans, newspapers and magazines provided said recyclable wastes are set out in containers provided by a curbside recycler and not commingled with the waste stream serviced by this contract.

III. **COMPONENT PARTS OF THE CONTRACT DOCUMENTS.** The Contract Documents shall include the following documents, all of which are as fully a part of this Contract as if herein set out verbatim, or if not attached, as if hereto attached.

(1) The Request for Bids

(2) The Instructions to Bidders

(3) The Contractor's Proposal for basic services excluding all alternative proposals.

(4) The Contract Specifications

(5) The Performance Bond or Letter of Credit

(6) This Instrument

(7) Any addenda or changes to the foregoing documents agreed to by the parties hereto.

All provisions of the Contract Documents shall be strictly complied with and conformed to by the Contractor, and no amendment to this contract shall be made except upon the written consent of the parties, which consents shall not be

This Contract is intended to conform in all respects to applicable statutes of the State of Indiana, and if any part or provision of this Contract conflicts therewith, the said statute shall govern.

IV, **COVENANT AGAINST LANDFILLING UNCONTAMINATED RECYCLABLE WASTE.** One of the purposes of this contract is to reduce the flow of recyclable waste into decreasingly available landfill sites. Therefore, in consideration of the agreements herein and the specified payments to be made hereunder, Contractor covenants and warrants that all uncontaminated recyclable waste shall be marketed and not deposited in landfills unless prior consent of City is obtained. City's consent shall be by resolution of the Board of Public Works after recommendation by Solid Waste Manager.

V. **APPROVAL OF CONTRACT.** This Contract, although accepted on behalf of the City by its Mayor and by the Board of Public Works, shall not be binding or obligatory upon the City unless and until it shall have first been approved by the Common Council of the City of Fort Wayne, and should the Common Council of the City of Fort Wayne fail to approve the same within forty-five (45) days after the date hereof, this Contract shall become and be wholly void.

unreasonably withheld. No amendment shall be construed to release either party from any obligation of the Contract Documents except as specifically provided for in such amendment.

This Contract is intended to conform in all respects to applicable statutes of the State of Indiana, and if any part or provision of this Contract conflicts therewith, the said statute shall govern.

IV. APPROVAL OF CONTRACT. This Contract, although accepted on behalf of the City by its Mayor and by the Board of Public Works, shall not be binding or obligatory upon the City unless and until it shall have first been approved by the Common Council of the City of Fort Wayne, and should the Common Council of the City of Fort Wayne fail to approve the same within forty-five (45) days after the date hereof, this Contract shall become and be wholly void.

IN WITNESS WHEREOF, We, the contracting parties, by our duly authorized agents, hereto affix our signatures and seals at Fort Wayne, Indiana, as of this 29 day of June, 1994.

CITY OF FORT WAYNE, INDIANA

IN WITNESS WHEREOF, We, the contracting parties, by our duly authorized agents, hereto affix our signatures and seals at Fort Wayne, Indiana, as of this 29 day of JUNE, 1994.

CITY OF FORT WAYNE, INDIANA

BY: Paul Helmke

Paul Helmke, Mayor

City of Fort Wayne

By: Its Board of Public Works

Charles E. Layton, Director

Katherine A. Carrier

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST:

Patricia Crick

Patricia Crick (Clerk)

[illegible] [illegible] Industries of Indiana I

Contractor

BY:

(SEAL)

ATTEST: Margie L. Fahringer

BY: Paul Helmke
Paul Helmke, Mayor

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, personally appeared this __________ day of _______________, 1994, Paul Helmke and also Charles E. Layton, Katherine A. Carrier, C. James Owen and Patricia Crick known to me to be the Mayor, the members of the Board of Public Works and the Clerk of the Board of Public Works respectively, of the City of Fort Wayne, Indiana, acknowledged the foregoing agreement to be their voluntary act and deed as such Mayor, members of the Board of Public Works and the Clerk of the Board of Public Works the City of Fort Wayne and the voluntary act and deed of said City.

WITNESS my hand and notary seal.

Notary Public
My commission expires 12/24/94
Residing of Allen Cnty

Notary Public

My Commission Expires: ____________

NANCY C TRACY
NOTARY PUBLIC STATE OF INDIANA
HANCOCK COUNTY
MY COMMISSION EXP AUG 14,1996

Resident of ___________ County, Indiana.

APPROVED AS TO FORM
AND LEGALITY

____
R. David Boyer, Associate City Attorney

City of Fort Wayne

By: Its Board of Public Works

Charles E. Layton, Director

Kath A. Carrier

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST:

Patricia Crick

Patricia Crick (Clerk)

National Sew-all Inc

Contractor

BY: Charles Walbridge, Dir.

(SEAL)

ATTEST: ______________________

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, personally appeared Gerald P. Greene this 20th day of June, 1994, known to me to be the Divisional Vice President of Browning-Ferris Industries of Indiana, Inc. and acknowledged the execution of the foregoing instrument to be his voluntary act and deed duly authorized on behalf of said corporation for the purposes herein mentioned acknowledged the foregoing agreement to be his voluntary act and deed as Divisional Vice President of Browning Ferris Industries of Indiana, Inc.

WITNESS my hand and notary seal.

Notary Public

NANCY C TRACY
NOTARY PUBLIC STATE OF INDIANA
HANCOCK COUNTY
MY COMMISSION EXP AUG. 14,1996

My Commission Expires:
Resident of ____________ County, Indiana.

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, personally appeared this 29th day of June, 1994, Paul Helmke and also Charles E. Layton, Katherine A. Carrier, C. James Owen and Patricia Crick known to me to be the Mayor, the members of the Board of Public Works and the Clerk of the Board of Public Works respectively, of the City of Fort Wayne, Indiana, acknowledged the foregoing agreement to be their voluntary act and deed as such Mayor, members of the Board of Public Works and the Clerk of the Board of Public Works the City of Fort Wayne and the voluntary act and deed of said City.

WITNESS my hand and notary seal.

Notary Public

My Commission Expires: 12/14/94

Resident of Allen County, Indiana.

APPROVED AS TO FORM
AND LEGALITY

R. David Boyer, Associate City Attorney

ACKNOWLEDGMENT

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE ME, personally appeared Charles Wallbridge this 7th day of June, 1994, known to me to be the Secretary of NATIONAL SERV-ALL, INC and acknowledged the execution of the foregoing instrument to be his voluntary act and deed duly authorized on behalf of said Corporation for the purposes herein mentioned acknowledged the foregoing agreement to be his voluntary act and deed as Secretary of said Corporation.

WITNESS my hand and notary seal.

R. DAVID BOYER, Notary Public
Allen County, State of Indiana
My Commission Expires December 14, 1994

R D Boyer
Notary Public

My Commission Expires: ____________________
Resident of __________ County, Indiana.

H1 81-98-7
6-29-94

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-98-7

WHEREAS, in 1992 the Common Council of the City of Fort Wayne, Indiana, amended Section 51.033 (B) of the Fort Wayne Code of Ordinances, granting the Board of Public Works the authority to set acceptable discharge limits for animal/vegetable based fats, oils and grease (a/v FOG) by industrial and commercial users of the Water Pollution Control Plant, which limits are to be set out in the Sewer Utility Rules and Regulations. Section 51.033 further states "the maximum limit shall be calculated and set at an amount shown not to cause interference or obstruction in the collection system and/or sewerage works and shall be reevaluated and adjusted as necessary to protect the integrity of the Sewer Utility."

WHEREAS, the Board of Public Works adopted and approved Section 6.5 and 6.6 of the Sewer Utility Rules and Regulations setting an a/v FOG limit of 200 milligrams per liter, also granting the Superintendent of the Water Pollution Control Plant the authority to, by permit, grant a higher limit up to 3,000 milligrams per liter for a/v FOG shown not to cause prohibited interference or obstruction to the Sewer Utility.

WHEREAS, in early 1993, such amendment to the Sewer Utility Rules and Regulations was determined to be a significant change in the City of Fort Wayne's pretreatment program requiring prior approval by the EPA Region 5 and Indiana Department of Environmental Management (IDEM).

WHEREAS, the language of Sewer Utility Rules and Regulations numbers 6.5 and 6.6 were submitted to the EPA Region 5 and IDEM for approval in June, 1993.

WHEREAS, in May of 1994, EPA Region 5 and IDEM did grant the City of Fort Wayne authority to adopt such provisions with certain amendments to delete any reference to "homogenized" fats, oils and greases.

NOW, THEREFORE BE IT RESOLVED, the Board of Public Works of the City of Fort Wayne finds that Section 6.5 of its Rules and Regulations of the Sewer Utility should be amended to read as follows:

6.5 LIMITATION OF CONCENTRATION OF FATS, OILS AND GREASES AND ACCEPTABLE RANGE OF pH.

A. 1. Fats, oils and greases (FOG) may be discharged to the Water Pollution Control Plant in a concentration of 200 mg/l total for industries and commercial establishments whose FOG wastewater discharge historically contained primarily animal/vegetable FOG in their process as determined by their SIC code listed in the Standard Industrial classification Manual, 1987.

2. Within the City of Fort Wayne service area these industries are:

a) Restaurants - SIC code 5812.

b) Bakery Products - SIC code 2051, 2052

B. If it becomes necessary to restrict the 200 mg/l total FOG limit in the future in order to protect the integrity of the Water Pollution Control Utility, no penalty shall attach for

HI 81-96-16
6-22-94

EMERGENCY RESOLUTION NO. 81-96-16

WHEREAS, pavement blow-ups occurred on June 16, 1994 at the following locations:

1) North Clinton, south of Northcrest south bound.
2) Coldwater, south of Essex.
3) Hobson, between Trier & Coliseum south bound.
4) Illinois Road, 5400 block.

WHEREAS, an Emergency exists for immediate repair; and

WHEREAS, Street Engineering received invitational bids for said repair as tabulated on the attached page.

NOW, THEREFORE, the Board of Public Works hereby declares an Emergency exists to repair said pavement and requests the Purchasing Department to issue a purchase order to Mergy Construction Co., Inc. in the amount of $15,115.40.

Adopted, this 22 day of JUNE, 1994.

BOARD OF PUBLIC WORKS & SAFETY

Charles E. Layton, Director
Board of Public Works

Kathe A Carrier
Katherine A. Carrier, Member
Board of Public Works

James Owen
C. James Owen, Member
Board of Public Works

ATTEST: Patricia Crick
Patricia Crick, Clerk
Board of Public Works

discharge between the new, lower level and the current 200 mg/l total FOG limit for a period of ninety (90) days following action of the Board approving the reduced limit.

C. 1. It is the finding of the Board that the following industries have been shown to not cause interference when total FOG is discharged in excess of 200 mg/l:

a) Dairy Products (milk) SIC code - 2026.

b) Dairy Products (ice cream) SIC code - 2024, 5143.

2. For the above industries such discharge shall be allowed to the extent the total FOG in the wastewater discharge does not cause interference with the City Sewer System. For the purpose of determining compliance with this standard, an approprite total FOG numerical limit shall be incorporated into such user's Wastewater Discharge Permit. The Board grants the Superintendent limited power to evaluate the total FOG discharge of such a user and to grant such user an individual numerical total FOG limit greater than 200 mg/l (total) but no greater than 3000 mg/l.

3. The Superintendent's evaluation of an appropriate total FOG numerical limit for an individual user shall consider, inter alia, the user's historical discharge concentrations of total FOG and the impact, if any, of such discharge on the City Sewer System.

4. The Superintendent shall monitor the effect of the user's discharge on the City Sewer System. Should the Superintendent find that discharge at the higher, permitted level causes interference with the City Sewer System, the Superintendent shall promptly notify the user, at which point the Superintendent shall negotiate an appropriate modification to said users permit.

D. The acceptable range for pH is 6-10. Analysis shall be conducted on grab samples taken at the user's sampling point, which sampling points are to be determined by the Superintendent.

BE IT FURTHER RESOLVED, the Board of Public Works of the City of Fort Wayne, Indiana, that Section 6.6 of the Rules and Regulations of the Sewer Utility should be amended to read as follows:

6.6 **ADMINISTRATIVE ENFORCEMENT OF A/V FOG AND Ph.**

A. This Section shall apply only to those users described in Section 6.5 hereinbefore. All other users shall be subject to the enforcement provisions set out in paragraphs 12 and 13 hereinafter.

B. Routine samplings shall be conducted at least twice annually for all restaurants as described in Section 6.5. Any user found to have exceeded the 200 mg/l a/v FOG discharge limit upon initial sampling shall receive a written Notice of Exceedance. This notice will require the user to provide the City with a written explanation of its current and proposed means of regulating its FOG discharge, which plan is subject to the approval of the supervisor of the Water Pollution Control Plant. Thereafter, a second, compliance sample shall be collected and analyzed by the City. Based on the results of this compliance check, the following escalating administrative surcharge schedule shall be assessed.

For each exceedance of the 200 mg/l limit thereafter, this surcharge schedule shall apply per occurrence. Further, any user found to have exceeded the 200 mg/l limit shall be subject to resampling within thirty (30) days from the date the Notice of Exceedance is mailed.

Milligrams/Liter	
201 - 300	$ 200
301 - 500	$ 400
501 -1000	$ 600
over 1000	$1,000

Excepted from the above surcharge schedule are users governed by FOG limits set in accordance with Section 6.5 (C). (SIC codes 2024, 2026 and 5143).

C. The following administrative fines may be assessed, per occurrence, to pH test results showing the user's pH level to be outside the approved range of 6 - 10.

±0.5 units from the standard	$ 100.00
±1.0 units from the standard	$ 200.00
±1.5 units from the standard	$ 350.00
± 2.0 units from the standard	$ 400.00
Greater than ±2.0 units from the standard	$ 500.00

D. The cost of gathering and analyzing a compliance sample following a finding of exceedance or non-compliance under 6.5 of these Rules and Regulations is built into the fine schedules set out in paragraphs B. and C. above.

IN WITNESS WHEREOF, this Resolution is adopted at a duly called meeting of the Board of Public Works this 29 day of JUNE, 1994.

BOARD OF PUBLIC WORKS

Charles Layton
Director of Public Works

Kath A. Carrier
Katherine Carrier, Member

C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-91-8
6-15-94

IMPROVEMENT RESOLUTION #6347-94
WINTER STREET RECONSTRUCTION
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BY FURNISHING ALL LABOR, EQUIPMENT, TOOLS, POWER, TRANSPORTATION ETC. FOR THE FOLLOWING IMPROVEMENT:

WINTER STREET FROM RUDISILL BLVD. TO OXFORD STREET
- TOTAL STREET RECONSTRUCTION -

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 15th day of June, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Thelma A. Morris
~~Patricia J. Crick~~
Secretary and Clerk Pro tem

H1 81-87-16
6-8-94

A RESOLUTION of the City of Fort Wayne Board of Public Works authorizing an extension of the term of the franchise granted to Comcast Cablevision of Indiana, L.P. to operate a cable communications system in the City of Fort Wayne, Indiana.

Resolution No. 81-88-16

WHEREAS, on or about July 19, 1978, the City of Fort Wayne, Indiana (the "City") awarded a cable television franchise ("Franchise") to Citizens Cable of Fort Wayne, Indiana, which was subsequently transferred to Comcast Cablevision of Indiana, L.P. ("Comcast") for a term of 15 years; and

WHEREAS, the City and Comcast began discussions on renewing the Franchise in 1993; and

WHEREAS, the City has twice extended the Franchise to accomodate the ongoing Franchise Renewal negotiations; and

WHEREAS, the most recent Franchise extension, approved by Board of Public Works Resolution 80-265-6, expires June 19, 1994; and

WHEREAS, the City and Comcast desire to extend the term of the Franchise to allow time to complete the renewal process; and

WHEREAS, the City acknowledges that Comcast will not, by virtue of accepting an extension of the Franchise term, waive any of its renewal rights under Section 626(a) through Section 626(g) of the Cable Communications Policy Act of 1984, as amended;

NOW, THEREFORE, the Board of Public Works hereby resolves that:

1. Comcast is authorized to operate the cable television system in Fort Wayne, in full compliance with all of the terms and conditions of the Franchise, for a period commencing on the expiration date of the Franchise as previously extended (June 19, 1994), and continuing through either the date on which the Franchise is renewed, or August 19, 1994, whichever shall first occur;

2. During said period, the City and Comcast shall have all of the rights and obligations of "City" and "Grantee", respectively, under the Franchise;

3. During said period, the City and Comcast shall work together in good faith to renew the Franchise;

4. This Resolution shall become effective upon the occurrence of the following conditions: 1) Adoption by the Fort Wayne Board of Public Works; 2) Adoption by the Fort Wayne Common Council; 3) Comcast's acceptance of the extension of the Franchise as provided in this Resolution for the term specified in paragraph (1) above, provided Comcast accepts the Extension within seven (7) days from the date this Resolution is adopted by the Fort Wayne Common Council.

Adopted by the Board of Public Works this 8th day of June, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Chairman

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST:

Thelma A. Morris
Thelma A. Morris, Clerk Protem

HI 81-87-15
6-8-94

IMPROVEMENT RESOLUTION #6346-94
CLINTON ST., COLDWATER RD. RESURFACING -
NORTHROP ST. TO COLISEUM BLVD.
COLDWATER ROAD WATER MAIN REPLACEMENT -
CLINTON ST. TO COLISEUM BLVD.
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:
CLINTON ST. BY RESURFACING FROM NORTHROP ST. TO A POINT 350 ± FT. NORTH OF THE CENTER LINE OF RIDGEWOOD AVE.

COLDWATER ROAD FROM CLINTON ST. TO COLISEUM BLVD. BY RESURFACING, CONSTRUCTING MEDIANS, REPAIR CURBING AND RECONSTRUCTING DRAINAGE STRUCTURES.

ALSO TO RECONSTRUCT 8" WATER MAIN ON THE EAST SIDE OF COLDWATER ROAD FROM CLINTON ST. TO COLISEUM BLVD.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 8th day of June, 19 94 .

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carr
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Thelma A. Morris Clerk Protem
Patricia J. Crick, Secretary and Clerk

H1 81-84-13
6-1-94

EMERGENCY RESOLUTION NUMBER 81-84-13

WHEREAS, an existing 24" combination sewer in the alley East of the 3500 block of South Harrison Street has collapsed and is restricting normal flow of sewage; and,

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action; and,

WHEREAS, repair of the sewer is beyond capability of Water Pollution Control Maintenance Department to perform; and,

WHEREAS, Performance Pipelining Inc., Dehner Construction, Inc., Bercot-Gibson Construction Co., Inc. and T-G Incorporated were invited to submit quotes on the repair; and,

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 1ST day of JUNE, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director Board of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

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MI 81-83-12
6-1-94

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-83-12

WHEREAS, the Board of Public Works of the City of Fort Wayne last recommended to the Common Council a water rate increase of 24.47% in September 1989. However, the Common Council approved an increase of only 21.1%, which increase the Indiana Utility Regulatory Commission further reduced to 20.3% effective in March of 1990.

WHEREAS, pursuant to its annual review of the Fort Wayne Water Utility, the Indiana Utility Regulatory Commission did, on January 28, 1992 and October 7, 1993 inform the City that its Water Utility's revenues appeared insufficient to fund proper maintenance and needed improvements to the Utility; and

WHEREAS, in January of 1994, this Board instructed members of the City Utilities Administration to compile information necessary to make a determination as to the feasibility of a water rate increase as a means of improving the fiscal health of the City's Water Utility; and

WHEREAS, Municipal Consultants, Inc. was hired that month to analyze the Utility's expenses, proposed capital improvements and projected revenues in order to arrive at a water rate which would generate sufficient funds to meet the Water Utilities' fiscal needs, which study was completed in April of 1994; and

WHEREAS, the study conducted by Municipal Consultants, Inc. indicates an increase of 28.69% in the rates charged to Fort Wayne Water Utility customers is required to correct the Utility's negative cash position, fund repair and replacement work and limited capital improvement projects.

NOW, THEREFORE BE IT RESOLVED, the Board of Public Works of the City of Fort Wayne finds the existing rates and charges for the use of and services rendered by the waterworks of the City do not produce sufficient revenue to: pay all the legal and other necessary expenses incidental to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, and interest charges on bonds or other obligations; provide a sinking fund for the liquidation of bonds or other evidences of indebtedness; provide adequate money for working capital; provide adequate money for making extensions and replacements to the extent not provided for through depreciation; provide money for payment of any taxes that may be assessed against the Utility; provide a reasonable return on the Utility plant; and compensate the City for taxes that would be due the City on the Utility property were it privately owned; and therefore, that the existing rates and charges should be increased; and

BE IT FURTHER RESOLVED, the Board of Public Works of the City of Fort Wayne finds a 28.69% increase in the Water Utility's rates and charges is necessary to provide sufficient revenue to provide adequate service to its customers, which increase will produce a fair and just rate for such services.

H1 81-79-24
5-25-94

RESOLUTION 927-94

2600 BLOCK SPRINGFIELD AVE. STORM SEWER

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage improvement for use by property holder(s) whose property abuts thereon, and for receiving drainage for collateral drains, be and the same is hereby ordered in and along the following described ed centerline:

> **Beginning at a proposed manhole located 5' North of the northeast corner of Lot #181 of new Kirkwood Park Addition, Sec. G; Thence continuing westerly 510± L.F. to a proposed inlet and the termination of the sewer.**
>
> **Said storm sewer shall be 12" in diameter.**

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by funds from the revolving Barrett Law Account.

ADOPTED this 25 day of MAY, 1994.

In Witness Whereof, the parties have subscribed to the instrument the day and year first above written in:

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

dh\SPRINGFELD.927

BE IT FURTHER RESOLVED, the Board of Public Works of the City of Fort Wayne recommends the Common Council act in accordance with I.C. 8-1.5-3-8 and find and elect that rates and charges for water service to be paid by users of the system should be sufficient to include a reasonable return on the Utility plant of the City; and

BE IT FURTHER RESOLVED, the Board of Public Works of the City of Fort Wayne recommends the Common Council act in accordance with I.C. 8-1.5-3-8 and find and elect that the water rates charged to users of the system shall be sufficient to compensate the City for taxes that would be due the City on the Utility property were it privately owned.

BE IT FURTHER RESOLVED pursuant to its authority under I.C. 8-1.5-3-4, the Board of Public Works of the City of Fort Wayne, Indiana, does hereby recommend the Common Council of the City of Fort Wayne amend Chapter 52 of the Fort Wayne Code of Ordinances to increase by 28.69% the rates and charges assessed to Fort Wayne Water Utility customers, to be effective upon approval of said rates and charges by the Indiana Utility Regulatory Commission.

BE IT FURTHER RESOLVED, the Board of Public Works of the City of Fort Wayne, Indiana, approves and recommends the following schedule of rates and charges reflecting the 28.69% increase be inserted in Chapter 52 of the Fort Wayne Code of Ordinances in place of the current schedule:

RATES AND CHARGES

WATER USAGE SCHEDULE-INSIDE CITY.

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City the following rates and charges based on the use of water supplied by the City Waterworks System:

(A) Metered rates per month.

Metered Rates Per Month (cubic feet)	**Rate Per 100 Cubic Feet**
First 30,000 cubic feet	$ 1.096
Next 120,000 cubic feet	0.865
Over 150,000 cubic feet	0.641

(B) Monthly service charges. Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate schedule, as follows;

Size of Meter (Inches)	Monthly Service Charges
5/8"	$ 5.56
3/4"	6.47
1"	7.16
1½"	16.81
2"	33.46
3"	39.48
4"	39.87
6"	100.67
8"	133.26
10"	178.85

COST FOR PRIVATE FIRE PROTECTION SERVICE-INSIDE CITY.

Fire protection service for use in extinguishing fire only, shall be as follows:

	Per Annum
For each fire hydrant	$ 284.74
2"	31.66
3"	71.14
4"	126.62
6"	284.74
8"	504.07
10"	788.81
12"	1,139.11
16"	2,024.76

COST FOR MUNICIPAL SERVICE.

Municipal service to the City shall be $284.74 per annum for each fire hydrant inside the city limits.

CHARGES FOR CUSTOMERS OUTSIDE CORPORATE LIMITS.

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City of Fort Wayne the following rates and charges based on the use of water supplied by said waterworks system:

(A) Metered rates per month.

Metered Rates Per Month (cubic feet)	Rate Per 100 Cubic Feet
First 30,000 cubic feet	$ 1.280
Next 120,000 cubic feet	1.081
Over 150,000 cubic feet	0.839

(B) Monthly service charges. Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate schedule as follows:

Size of Meter	Monthly Service Charges
5/8"	$ 5.56
3/4"	6.47
1"	7.16
1½"	16.81
2"	33.46
3"	39.48
4"	39.87
6"	100.67
8"	133.26
10"	178.85

(C) Fire protection service.

	Per Annum
For each Fire Hydrant	$ 443.00
2"	49.21
3"	110.78
4"	196.87
6"	443.00
8"	784.12

10"	1,227.14
12"	1,772.05
16"	3.149.86

The rates and charges for water and fire protection service to General Motors, as determined from a fully-allocated cost-of-service study, are as follows:

Demand Charge (per month)	$50,898.18
Commodity Charge (per hundred cubic feet of water metered)	$ 0.2135
Customer Charge (per month)	$ 178.88
Fire Protection Service (per month)	$ 1,216.12

IN WITNESS WHEREOF, this Resolution is adopted at a duly called meeting of the Board of Public Works this 1ST day of JUNE, 1994.

BOARD OF PUBLIC WORKS

Charles Layton
Director of Public Works

Kath A. Carrier
Katherine Carrier, Member

James Owen
C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-78-15
5-25-94

IMPROVEMENT RESOLUTION #6345-94

MAPLEWOOD ROAD PAVEMENT RESTORATION - BLUFFTON ROAD TO PINEDALE DR. CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

MAPLEWOOD ROAD FROM THE EAST PROPERTY LINE OF BLUFFTON ROAD TO THE WEST PROPERTY LINE OF PINEDALE DRIVE BY REMOVING AND REPLACING CRACKED AND DETERIORATED 6" PLAIN CONCRETE PAVEMENT.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 25 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-78-14
5-25-94

CANTERBURY RELIEF SEWER
RESOLUTION 522-1994

RESOLVED BY THE BOARD OF PUBLIC WORKS of the City of Fort Wayne, Indiana that:

Because an existing 15" diameter sanitary sewer, South of St. Joe Center Road and West of St. Joe Road, is under seized and has experienced excessive surcharge conditions, it is deemed necessary to construct a relief sanitary sewer interconnected with and parallel to the existing sanitary sewer on the following described centerline:

MAINLINE

Beginning at a proposed manhole on an existing 21" diameter sanitary sewer located 400± L.F. West of and 560± L.F. South of the intersection of Northgate Boulevard and Woodshire Drive; thence Northeast a distance of 576± L.F. up to and along Northgate Boulevard; thence North a distance of 1274± L.F. terminating at a proposed manhole on an existing 15" diameter sanitary sewer located 360± L.F. South of and 930± L.F. West of the intersection of St. Joe Center Road and St. Joe Road.

Said sanitary relief sewer shall be 18" in diameter.

LATERAL NO. 1

Beginning at an existing manhole on an existing 15" diameter sanitary sewer located 365± L.F. South of and 940± L.F. West of the intersection of St. Joe Center Road and St. Joe Road; thence North and Northeast a distance of 210± L.F. terminating at a proposed manhole on an existing 15" diameter sanitary sewer located 275± L.F. South of and 800± L.F. West of the intersection of St. Joe Center Road and St. Joe Road.

Said sanitary relief sewer shall be 15" in diameter.

Said improvements with all its appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said sewer improvement shall be paid by funds from Fort Wayne Sewer Utility.

APPROVED this 25 MAY 1994

BOARD OF PUBLIC WORKS

Charles E. Layton, Director Board of Public Works

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-73-16
5-18-94

RESOLUTION 517-94

CRESTWOOD COLONY ADDITION DRAINAGE IMPROVEMENT - PHASE I

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

A.) Outfall Ditch along East property lines of Lots 9-15
Reconstruction/debrushing of 800 ± L.F. of ditch.

B.) Neighborhood street intersections
Installation of 60± L.F. of 12" pipe, 14 inlets, and replacement of 19 inlet castings.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by th~~e 1994 COIT Funds.~~
CEDIT NEIGHBORHOOD

ADOPTED this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Kath A. Carrie
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

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H1 81-73-15
5-18-94

RESOLUTION 516-94

CENTERHURST ADDITION STORM DRAINAGE IMPROVEMENT

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

A.) Salge Drive - Allenwood Drive Area
Installation of 60± L.F. of 12" pipe, 2 - 48" manholes, 2 - 30" inlets and 50± L.F. of 6" underdrains.

B.) Salge Drive - Centerhurst Terrace Area
Installation of 200± L.F. of 15" pipe, 80± L.F. of 12" pipe, 3 - 48" manholes, 2 - 30" inlets, and 20± L.F. of 6" underdrains.

C.) Salge Ditch Area
Installation of 25± L.F. of pipe, 15± of 18" pipe, and 50± S.Y. of rip-rap ditch bank stabilization.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by the ~~1994 COIT Funds.~~ CEDIT NEIGHBORHOOD

ADOPTED this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Kathe A Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

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H1 81-72-14
5-18-94

RESOLUTION 515-94

AVALON ADDITION DRAINAGE IMPROVEMENT - PHASE II

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

A.) St. Louis Ave. and Durban Drive
Installation of 350± L.F. of 12" pipe and 6-30" inlets

B.) 2100 block of Maplewood Rd.
Installation of 3 - 48" manholes

C.) Maplewood Rd. and Pinedale Drive
1 - 30" inlet

D.) Wohama Dr. - Worth Drive
Reconstruction of 100± S.Y. of concrete street and adjustment of inlet and manhole structures.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by Storm Water Utility funds of the City of Fort Wayne, and by the ~~1994 COIT Funds.~~ NEIGHBORHOOD CEDIT

ADOPTED this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Kath A Carri
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

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M1 81-72-13
5-18-94

IMPROVEMENT RESOLUTION NO. 6344-94
ILLSLEY DRIVE ALLEY RECONSTRUCTION
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

THE EAST/WEST ALLEY FROM BEAVER AVENUE TO INDIANA AVENUE AND BETWEEN OAKDALE DRIVE AND ILLSLEY DRIVE BY RECONSTRUCTING THE ALLEY AND ALLEY APPROACHES WITH NEW CONCRETE PAVEMENT.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 75% on the real estate abutting on said improvements for alley and 25% upon the City of Fort Wayne, Indiana, and 100% for alley approaches upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carri
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

41 81-72-12
5-18-94

IMPROVEMENT RESOLUTION #6342-94
BROOKLYN AVENUE - BLUFFTON ROAD TO NORFOLK SOUTHERN RAILROAD
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BROOKLYN AVENUE FROM BLUFFTON ROAD TO NORFOLK SOUTHERN RAILROAD BY MILLING SURFACE, RESURFACING, CURB RAMPS, STORM SEWER EXTENSION, PAVEMENT MARKINGS AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-72-11
5-18-94

IMPROVEMENT RESOLUTION #6341-94
LAWTON PLACE RESURFACING - GRISWOLD DR. TO SPY RUN AVENUE
CEDIT NEIGHBORHOOD FUNDED

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

BY RESURFACING LAWTON PLACE FROM EAST CURB LINE OF SPY RUN AVENUE TO THE WEST EDGE OF PAVEMENT OF GRISWOLD DRIVE.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-72-10
5-18-94

IMPROVEMENT RESOLUTION NO. 6339-94
NEIGHBORHOOD COMMERCIAL CAPITAL IMPROVEMENTS - PACKAGE 93-B
CDBG FUNDED

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1) ST. JOE BLVD. FROM THE NORTH CURB LINE OF COLUMBIA AVENUE TO A POINT 250 LINEAL FEET ± NORTHEAST THERE OF AND ON COLUMBIA AVE. FROM THE EAST CURB LINE OF ST. JOE BLVD. 130 FT. ± EAST THERE OF BY RECONSTRUCTING THE CURBS, SIDEWALKS AND DRIVE APPROACHES (OLD HOUSE GALLERIES),

2) EAST WAYNE STREET FROM THE EAST CURB LINE OF FRANCIS STREET TO A POINT 330 LINEAL FEET ± EAST THERE OF BY RECONSTRUCTING SIDEWALKS, CURBS, CURB RAMPS, AND REHABILITATING STORM SEWER STRUCTURES, AND ON

FRANCIS STREET FROM THE NORTH CURB LINE OF EAST WAYNE STREET TO A POINT 60 LINEAL FEET ± NORTH THERE OF BY RECONSTRUCTING THE CURB (EAST WAYNE CENTER).

All in accordance with the specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Minority Business Enterprises, hereinafter sometimes referred to as "M.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by Community & Economic Development Department.

This project is funded by a HUD Community Development Block Grant and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968.

Adopted, this 18 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carri
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

#11 81-72-9
5-18-94

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS
EMERGENCY RESOLUTION 81-71-9

WHEREAS, the Three Rivers Filtration's Plant #1 was constructed in 1933; and

WHEREAS, the aforementioned Plant has deteriorated to the extent that a section of weirs in the Plant #1 West clarification tank has broken loose and fallen, rendering Plant #1 inoperable; and

WHEREAS, this situation may limit the Filtration Plant's ability to provide adequate quantity of water during the high demand periods of summer; and

WHEREAS, this situation may jeopardize water quality and could result in curtailment of certain businesses' continual operation due to limited water production; and

WHEREAS, the repairs to Plant #1 need to be completed as soon as possible.

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists to request the Purchasing Department to issue purchase orders to McNamee, Porter & Seely to conduct a study and provide engineering for repairs, and to a General Contractor for demolition and construction of recommended changes. This project is estimated to cost $130,000 including engineering.

Approved and adopted this 18 day of May, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director
Board of Public Works

Kath A. Carrier
Katherine A. Carrier, Member
Board of Public Works

C. James Owen, Member
Board of Public Works

ATTEST: Patricia J Crick
Patricia J. Crick, Clerk
Board of Public Works

4181-71-4
5-18-94

BOARD OF WORKS RESOLUTION

WHEREAS, bids have been received and analyzed relating to the collection, transportation and disposal of solid waste in the City of Fort Wayne, and

WHEREAS, the specifications for bids specified numerous alternative bids and bidders also provided additional optional alternate bids, all of which have been thoroughly analyzed,

NOW, THEREFORE, based on the analysis of the bids submitted, the Board of Public Works of the City of Fort Wayne, Indiana, does hereby resolve as follows:

1. The base bid of National Serve-All, Inc. for the collection of solid waste other than yard waste and leaves in the City of Fort Wayne as specified at the rate of $37.36 per ton for collection costs, both residential and city and $14.13 per ton disposal cost, both residential and city, be accepted and the same is hereby awarded to National Serve-All, Inc. on the basis indicated in the contract attached to this resolution subject to the approval of said contract by the Common Council of the City of Fort Wayne, Indiana.

2. BE IT FURTHER RESOLVED that the bid of Browning Ferris Industries of Indiana, Inc. for the collection of yard waste in the City of Fort Wayne be accepted and the contract awarded to said bidder under the terms attached hereto as Exhibit 2, all subject to the approval of the Common Council of the City of Fort Wayne.

3. BE IT FURTHER RESOLVED that the bid of Browning Ferris

H1 81-68-13
5-11-94

PARTIAL RELEASE OF EASEMENT

WHEREAS, the City of Fort Wayne, Allen County, Indiana condemned a certain fourteen (14) foot sanitary sewer easement as described in Amended Nunc Pro Tunc Sewer Easement Resolution Number 126-1973 as modified by Document Number 74-23986 in the Office of the Recorder of Allen County, Indiana, and

WHEREAS, the City of Fort Wayne no longer has use for a portion of said sanitary sewer easement,

NOW, THEREFORE, the City of Fort Wayne, Allen County, Indiana now releases to Colonial Development Corp., an Indiana Corporation, the portion of the fourteen (14) foot sanitary sewer easement as described in Amended Nunc Pro Tunc Sewer Easement Resolution Number 126-1973 as modified by in Document No. 74-23986 in the Office of the Recorder of Allen County, Indiana, and more particularly described as follows:

An easement located in the Northwest One-quarter of Section 35, Township 32 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

COMMENCING at the Northeast corner of Lot # 34 in Autumn Ridge Villas, Section II, as recorded in the Office of the Recorder, Allen County, Indiana, Plat Cabinet B, page 113; thence along a rear line of said Lot # 34 North 50 degrees 11 minutes 26 seconds West, a distance of 26.26 feet; thence North 49 degrees 7 minutes 1 second West, a distance of 10.19 feet along a rear line of said Lot # 34 to the point of beginning, said point being on the East line of a sanitary sewer easement condemned by Amended Nunc Pro Tunc Sewer Easement Resolution Number 126-1973, as modified by Release of Easement recorded October 15, 1974 as Document Number 74-23986. BEGINNING at the above described point; thence South 24 degrees 37 minutes 42 seconds East along said sanitary sewer easement, a distance of 257.42 feet; thence South 42 degrees 4 minutes 12 seconds West, a distance of 9.17 feet to a point on the right-of-way of Windridge Court as recorded in said Autumn Ridge Villas, Section II; thence along said right-of-way on a curve to the left having a radius of 50 feet, a length of 16.32 feet and a chord bearing North 70 degrees 4 minutes 51 seconds West and a distance of 16.25 feet to the west line of said sanitary sewer easement; thence North 24 degrees 37 minutes 42 seconds West, a distance of 293.56 feet to the rear line of said Lot # 34; thence South 49 degrees 7 minutes 1 second East, a distance of 48.25 feet to the point of beginning.

Adopted this 11 day of MAY, 1994.

IN WITNESS WHEREOF, the parties have subscribed to this instrument the day and year first above written in.

CITY OF FORT WAYNE, INDIANA

By ______________________
Paul Helmke, Mayor

BOARD OF PUBLIC WORKS

By ______________________
Charles E. Layton, Director Public Works

By Kath A. Carrier
Katherine Carrier, Member

By James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia Crick, Clerk

Industries of Indiana, Inc. for the curbside collection of recyclable waste be accepted according to its terms and that the contract for collection and marketing of residential solid waste be awarded to said bidder in the form attached hereto as Exhibit 3, all subject to the approval of the Common Council of the City of Fort Wayne.

4. BE IT FURTHER RESOLVED that the Board of Public Works recommends to the Common Council of the City of Fort Wayne pursuant to the authority of I.C. 36-9-30-7 that Chapter 50 of the Municipal Code of the City of Fort Wayne be amended to increase the solid waste user fee from $5.00 per month to $6.50 per month effective January 1, 1995 for the purpose of funding the cost of the above solid waste contracts.

Adopted this 18 day of MAY, 1994.

CITY OF FORT WAYNE acting by and
through its Board of Public Works

Charles Layton

James Owen

Katherine Carrier

ATTEST:
Patricia J Crick
Patricia Crick, Clerk of the Board

APPROVED as to form and legality:

By: ______________________________
Associate City Attorney

ACKNOWLEDGMENT

STATE OF INDIANA)
) **SS**
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Paul Helmke, Mayor; Charles E. Layton, Katherine Carrier and C. James Owen, all as Members of the Board of Public Works, and acknowledged the execution of the foregoing Contract as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and notarial seal this 12 day of May, 1994

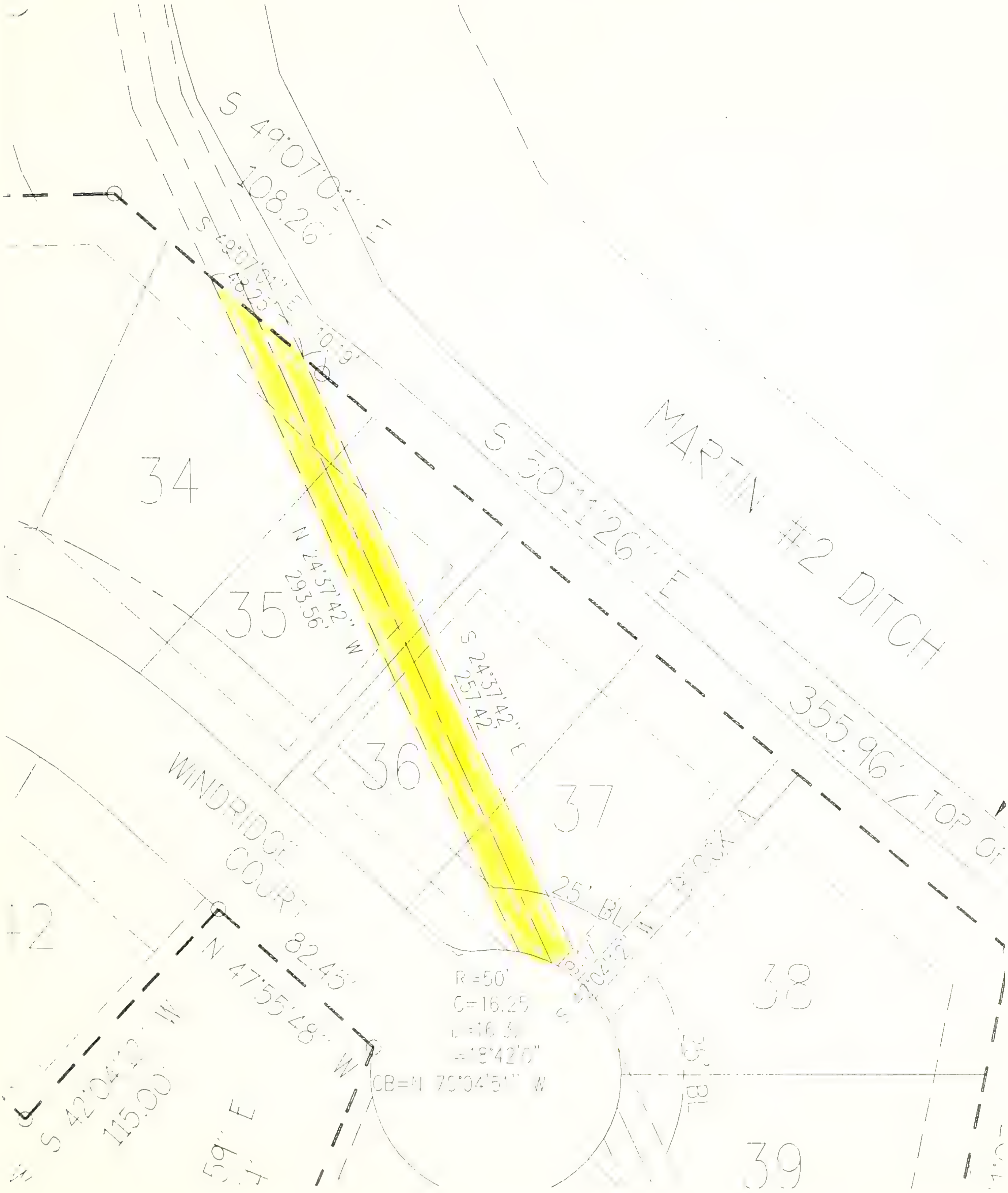
Carolyn S. Newport
Notary Public
Resident of Allen County
Carolyn S. Newport
Printed Name of Notary

My Commissions Expires:

6-21-95

This instrument prepared by: Kip A. Macke, P.E.

FILE: ESMRE//5/6/94.


S 49°07'01" E
108.26'
S 49°07'01" E
68.73'
10.19'
MARTIN #2 DITCH
S 50°11'26" E
355.96' TOP OF
34
35
36
37
38
39
42
N 24°37'42" W
293.56'
S 24°37'42" E
257.42'
WINDRIDGE COURT
25' BL
35' BL
N 47°55'48" W
82.45'
S 42°04'12" W
115.00'
R=50'
C=16.25
L=16.3
=18°42'10"
CB=N 70°04'51" W

111 81-67-11
5-11-94

IMPROVEMENT RESOLUTION #6340-94
SPY RUN AVENUE / CLINTON ST. CURBFACE WALK IMPROVEMENTS
CEDIT NEIGHBORHOOD FUNDED

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

SPY RUN AVENUE ON THE WEST, FROM THE NORTH RIGHT OF WAY LINE OF RUTH STREET TO THE SOUTH CURB LINE OF NUSSBAUM AVENUE AND

NORTH CLINTON STREET FROM THE NORTH CURB LINE ON STATE ST. TO APPROXIMATELY 350 LINEAL FEET NORTH OF NEVA AVENUE BY CONSTRUCTING CURB FACE WALK, DRIVES, WINGWALKS AND REHABILITATE STORM SEWER STRUCTURES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 11 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

M181-67-10
5-11-94

A RESOLUTION establishing the cost-sharing policies for neighborhood capital improvement projects, and establishing how petitions for such projects are processed by the Fort Wayne Board of Public Works.

RESOLUTION # 81-67-10

WHEREAS, The Board of Public Works of the City of Fort Wayne, Indiana, has the legal authority and responsibility to construct and maintain the City's public infrastructure and to establish property-owner participation procedures for the payment of neighborhood capital improvements;

NOW THEREFORE, the Board of Public Works hereby adopts the following policies and processes through which citizens may petition for neighborhood capital improvements and pay for those improvements:

I. THE PETITION PROCESS

A. **PETITIONS:** Citizens who desire the City of Fort Wayne to make infrastructure improvements in their neighborhood should petition for those projects directly to the Board of Public Works, or to the Board of Public Works through their City Council representative. All projects are subject to the availability of adequate funds.

B. **SIGNATURES REQUIRED:** Any petition requesting improvements for which affected property owners will be required to pay a portion of the costs must be signed by at least 51% of the affected property owners, except where different percentage amounts are set forth below. "Affected property owners" are defined as those owning property adjacent to the improvement project.

The minimum level of signatures on the petition is established as an indication that the project is supported by a majority of the affected property owners. Petitions not containing the established amount of signatures may continue to be processed at the request of the City Council representative providing funding for the engineering work from his/her district's allotment of County Economic Development Income Tax (CEDIT) dollars.

C. **ENGINEERING EVALUATION:** Petitions must be reviewed for improvement need by engineering staff - The Board of Works will determine proceeding with improvement based on engineering evaluation of need.

D. **PUBLIC HEARING:** After a petition has been filed and City Engineers have prepared a cost estimate for the project, along with an estimate of what each property owner's assessment will be, a public hearing will be held to inform property owners of project details. Property owners will be notified by mail of the public hearing.

E. **REMONSTRANCE:** If at least 51% of the affected property owners, who oppose the project, sign a remonstrance petition and file it with the Board of Public Works within 10 days of the initial public hearing, the project will be cancelled.

II COST SHARING GUIDELINES FOR SPECIFIC KINDS OF PROJECTS

A. STREET-CURBS-SIDEWALK

SIDEWALK INSTALLATION OR REPLACEMENT;
REPLACEMENT OF CURBS OR INSTALLATION OF NEW CURBS;
CURB AND SIDEWALK OR CURBFACE WALKS;
STREET RECONSTRUCTION;
SIDEWALKS, CURBS AND NEW STREET INSTALLATIONS;

GUIDELINES:
Property owners within the project's limits will pay 60% of the cost of the improvements adjacent to their property, with assessments based on lineal footage; the City will pay 40% of these costs. Drive approach work required because of the project will be assessed based on square yardage of the drive approach. Improvement costs shall include engineering, the labor and materials for installing the new item(s), removal of old item(s), excavation, bedding, restoration, engineering, inspection and other expenses associated with the project, such as drainage improvements, when necessary.

B. **STREET LIGHTS:** Standard overhead street lights will be installed at 100% cost to the City, with project priority determined by the Board of Public Works, or as funding is allocated by the appropriate City Council representative. Petitions for all street light projects must be signed by **60%** of the property owners in the city block or blocks described in the petition (per IC 36-9-9-3b).

For all projects involving the installation of ornamental street lights property owners within the project's limits will pay 60% of the cost of the improvements adjacent to their property, with assessments based on lineal footage; the City will pay 40% of these costs.

36-9-9-3. Petition — Declaratory resolution. — (a) The owner or owners of real property that fronts or abuts upon a public street or thoroughfare may sign and file with the municipal works board their petition requesting that there be constructed, erected, installed, maintained, and operated:

(1) An electric system of street lights and posts, designating the number of lumens per post and the number of posts along the street curb;

(2) A system of ornamental street lights and posts with underground wiring; or

(3) Additional lights where a system has already been installed;

in front or on either side of the city block or blocks described in the petition.

(b) When the petition has been filed and signed by the owner or owners of at least sixty percent [60%] of the real property in the city block or blocks described in the petition, the works board shall adopt a declaratory resolution for the making of the improvement as described in the petition and shall then:

(1) Prepare and place on file in its office, or with the municipal clerk if it has no office, a complete set of drawings, plans, and specifications for the lighting system and an estimate of the annual cost of the street lighting, which shall be kept open for inspection by the public and all prospective bidders; and

(2) Publish in accordance with IC 5-3-1 a notice stating that on a day named after the last publication a public hearing shall be held, that interested persons may file remonstrances against the lighting system at the hearing, and that, at the hearing, the works board may sustain or overrule the remonstrances or may modify its original resolution, plans, or proceedings. [IC 36-9-9-3, as added by Acts 1981, P.L. 309, § 82; 1981, P.L. 45, § 41.]

C. **ALLEY RECONSTRUCTION:** Property owners within the project's limits will pay 75% of the cost of the improvements adjacent to their property, with assessments based on lineal footage; the City will pay 25% of these costs.

D. **WATER PROJECTS:** When petitions for water mains are received, Water Engineering shall prepare a conceptual design for a local water main to serve the petitioners. The cost of the conceptual design shall be estimated and allocated equally to the properties affected. Water Engineering shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). Water Engineering shall then present the petitioner's options to the Board of Public Works and identify the financing option Water Engineering determines is most feasible. If the Board determines that Barrett Law funding of a water main project is the most feasible, then they shall order Water Engineering to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local water main. Other financing options include up-front property owner payment or, very rarely, utility revenue with long term property owner reimbursement.

The property owners will pay for 100% of the main installation if they do not currently have City water. If oversizing of said main is required by the City, the City will pay for that portion of the water main that represents the oversizing. The City pays full cost for maintenance and replacement of existing public lines.

E. **SANITARY SEWER PROJECTS:** When petitions for sanitary sewers are received, Water Pollution Control Engineering (WPCE) will prepare a conceptual design for a local sewer system to serve the petitioners. The cost of the conceptual design shall be estimated and allocated to the lots/units affected by the proposed system using the method established in IC-36-9-39. WPCE shall also collect other information pertinent to the project (petitioner alternatives, cost to other area residents, cost to the Utility and availability of funds). WPCE shall then present the petitioner's options to the Board of Public Works and identify the option WPCE feels is most feasible. If the Board determines that Barrett Law funding of a sanitary sewer project is the most feasible, then they shall order WPCE to proceed with the preparation of detailed drawings, specifications and a resolution ordering the installation of the local sewer.

No set percentage of affected property owners is required to petition by Indiana law with sewer projects since, according to IC 36-9-39, the only test for proceeding with a sewer project is whether or not the "special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works."

36-9-39-3. Resolution — Contents. — (a) The municipal works board shall adopt a resolution containing the information required under subsection (b) if:

(1) The municipal works board orders the construction of any sewage works in the municipality; and

(2) The cost of that construction is to be assessed against property under this chapter.

(b) A resolution adopted under subsection (a) must include all of the following:

(1) A description of the works to be constructed.

(2) Full detail drawings and specifications for the works. [P.L.98-1993, § 10.]

36-9-39-4. Notice of resolution — Filing of engineer's estimate of total cost. — (a) Notice of the resolution required under section 3 [IC 36-9-39-3] of this chapter shall be published in accordance with IC 5-3-1. The notice must state the date, time, and place of a hearing at which the municipal works board will hear all interested persons, including persons whose property is affected or will be affected by the proposed sewage works, on the question of whether the special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works.

(b) On or before the date specified in the notice, the engineer shall file with the works board the engineer's estimate of the total cost of the work, including any amount determined under IC 36-9-22-5. [P.L.98-1993, § 10.]

36-9-39-5. Hearing — Finding of works board. — (a) At the hearing specified in the notice given under section 4 [IC 36-9-39-4] of this chapter, the municipal works board shall hear all interested persons on the question of special benefits and on any other matter related to the proposed sewage works.

(b) If after the hearing the works board finds that the special benefits accruing to the abutting property are equal to the estimated cost of the sewage works, the finding shall be entered of record. The finding is final and conclusive on all parties.

(c) If after the hearing the works board finds that the special benefits accruing to the abutting property are not equal to the estimated cost of the sewage works, the works board may not proceed with the construction of the sewage works under any resolution for one (1) year. However, the works board may proceed with the sewage works if the works board finds that the municipality is benefited in an amount sufficient to cover the deficiency. [P.L.98-1993, § 10.]

36-9-39-6. Rescission, confirmation, or modification of original resolution. — (a) After the hearing under section 5 [IC 36-9-39-5] of this chapter, the original resolution may be rescinded, confirmed, or modified.

(b) If the resolution is confirmed or modified, the municipal works board shall do the following:

(1) Proceed under section 7 [IC 36-9-39-7] of this chapter if the resolution is for sewage works intended only for use by owners of abutting property.

(2) Proceed under section 8 [IC 36-9-39-8] of this chapter if the resolution is for sewage works intended to receive sewage from collateral drains. [P.L.98-1993, § 10.]

Expenses associated with the engineering, construction and inspection of the local sewer project shall be allocated to property owners according to IC 36-9-39. The property owners shall pay the first $4,000.00 of cost allocated to each unit or lot whether or not connected. No deferrals will be granted. The Water Pollution Control Utility shall pay the remainder of the engineering, construction and inspection costs. No project shall proceed until funds have been budgeted for the Utility's share of the costs.

Property owners shall pay area connection and other applicable special fees when they apply for a tap permit. These fees are not considered to be engineering, construction or inspection costs and shall not be included in the $4,000.00 maximum assessment per unit/lot.

The City pays full cost for maintenance and replacement of existing public lines.

F. **STORMWATER DRAINAGE PROJECTS:** Upon receiving a petition for stormwater drainage improvements, the Stormwater Engineering Department shall undertake a preliminary investigation and analysis of the situation precipitating the petition. The nature and degree of the problem will be determined, as will the affected properties and affecting parties. Components of the drainage system(s) in the area will be identified and evaluated as to their condition, capacity, performance, and adequacy. A conceptual design will be developed, identifying and differentiating local or lateral component improvements to serve the petitioners, and any area trunkline drain improvements that will also be necessary.

A local and/or lateral drain shall be defined as a drain that serves as an outlet for a local watershed or for a subbasin within a neighborhood or subdivision. An area trunkline is a drain which outfalls multiple local or lateral drains.

Expenses associated with the engineering, construction, and inspection of local and lateral drain improvement projects shall be allocated to property owners according IC 36-9-39. The property owners shall pay the first $4,000.00 of cost allocated to each lot to be drained. No deferrals will be granted. The Department of Stormwater Management shall pay the remainder of the engineering, construction, and inspection costs. There may be instances where the Utility considers oversizing a local line in anticipation of converting this line to an area trunkline sometime in the future; when this is the case, the property owners will be responsible only for the drain costs associated with their subbasin capacity needs, and the Utility will fund any additional costs due to the oversizing. No project shall proceed until funds have been budgeted for the Utility's share of the costs.

The basis for proceeding on a petitioned sewer or drainage improvement project according to IC 36-9-39 is not the percentage of affected property owner signatures on the petition, but, whether or not the special benefits that will accrue to the property to be assessed will be equal to the estimated cost of the works. The City pays full cost for maintenance and replacement of public lines.

III. MISCELLANEOUS

A. **EXCEPTIONS:** Exceptions to the standard petition process and cost-sharing policies include projects funded by federal or state community development or economic development grants, or as requested by City Council representatives with CEDIT neighborhood capital improvement funds. The Board of Public Works may consider any project on an individual basis and may make any adjustments that the Board deems necessary to complete a project.

B. **CALCULATING PROJECT COSTS:** Property owners will be assessed based on the guidelines described in the above categories. Also, any alley approaches that are being replaced, corner wing-walks that are being replaced or drainage structures that must be repaired as part of any project will be paid 100% by the City.

C. **ANNUAL REVIEW:** The Board of Public Works should review these policies and the petition procedure every year by January 31 and amend them as the Board deems necessary.

This resolution regarding the policies and petition process of the Board of Public Works is adopted this 11 day of MAY, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Chairman

James Owen

C. James Owen, Member

Katherine Carrier, Member

ATTEST:

Patricia J. Crick

Patricia J. Crick, Clerk

BOARD OF PUBLIC WORKS
COST SHARING GUIDELINES

TYPE OF PROJECT	PROPERTY OWNERS' SIGNATURES REQUIRED ON PETITION	PROPERTY OWNERS' COST	CITY COSTS
Curb, Sidewalk &/or Street Reconsruction	51%	60%	40% +100% of non–adjacent property costs
Alleys	51%	75%	25%
Ornamental Lights	60%	60%	40%
Standard Lights	60%	0%	100%
Water	51%	100%	0% except for oversizing of main
Sanitary Sewer	No Requirement Specified	First $4,000 + area connection & other fees/unit or subdivision lot	costs in excess of $4,000 excluding area connection & other fees
Storm Sewer	No Requirement Specified	First $4,000/lot	Costs in excess of $4,000

HI 81-67-9
5-11-94

EMERGENCY RESOLUTION NUMBER 81-67-9

WHEREAS, *an existing 24" corrugated metal pipe in the 2900 block of West Washington Center Road has rusted and collapsed, creating an undermining of the pavement; and,*

WHEREAS, *said collapse could not reasonably be foreseen and required immediate action; and,*

WHEREAS, *repair of the pipe is outside the scope of work for the Street Department to perform; and,*

WHEREAS, *Newell Construction, Mergy Construction, T and G Excavating and Dehner Construction, were invited to submit quotes on the repair; and,*

NOW, THEREFORE, *the Board of Public Works hereby declares an* *emergency exists* *for said storm sewer repair and orders the Purchasing Department to issue an* **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR FROM ~~ACCOUNT #4431.~~** STORM WATER

APPROVED *this* 11 *day of* MAY*, 1994.*

BOARD OF PUBLIC WORKS

Charles E. Layton, Director Board of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST:
Patricia J. Crick
Patricia J. Crick, Clerk

MI 81-61-11
5-4-94

IMPROVEMENT RESOLUTION #6329-94
JEFFERSON BLVD. & WASHINGTON BLVD. - THIEME TO BROADWAY
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

JEFFERSON BLVD. FROM THIEME TO BROADWAY AND WASHINGTON BLVD. FROM THIEME TO BROADWAY BY SURFACE MILLING, BITUMINOUS WEDGE AND RESURFACING, CURB RAMPS, STORM SEWER REHABILITATION, PAVEMENT MARKING AND RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 4 day of MAY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

BID TABULATION

PROJECT: WASHINGTON CENTER RD.- EMERGENCY REPAIR RES. NO.:

DATE: 05-06-94 B.O. NO.:

						BIDDER: NEWELL CONST. CO.		BIDDER: T-G INCORPORATED		BIDDER: MERGY CONSTUCTION		BIDDER: DEHMER CONST. CO.	
ITEM NO.	ITEM	PLAN QUANTITY	UNIT	UNIT COST ($)	AMOUNT ($)	UNIT COST ($)	AMOUNT ($)	UNIT COST ($)	AMOUNT ($)	UNIT COST ($)	AMOUNT ($)	UNIT COST ($)	AMOUNT ($)
1.	REINFORCED CONCRETE PIPE CLASS IV	35	L.F.	85	2975.00	60.00	2100.00	154.50	5407.50	135.00	4725.00	125.00	4375.00
2.	REINFORCED CONCRETE PIPE CLASS IV	16	L.F.	27.5	440.00	40.00	640.00	49.75	796.00	60.00	960.00	75.00	1200.00
3.	END SECTION 15" FOR R.C.P.	2	EA.	325	650.00	200.00	400.00	138.00	276.00	175.00	350.00	150.00	300.00
4.	MANHOLE TYPE I-G	1	EA.	2200	2200.00	2000.00	2000.00	2100.00	2100.00	2100.00	2100.00	1500.00	1500.00
5.	B- BORROW FOR STRUCTURE BACKFILL	35	CY.	32	1120.00	20.00	700.00	31.80	1113.00	50.00	1750.00	50.00	1750.00
6.	CLEARYING OF RIGHT OR WAY	1	LS.	300	300.00	2000.00	2000.00	1650.00	1650.00	900.00	900.00	1500.00	1500.00
7.	BITUMINOUS MIXTURE FOR PATCHING	27	TON	52.5	1417.50	100.00	2700.00	76.00	2052.00	65.00	1755.00	150.00	4050.00
8.	MAINTAINING TRAFFIC INCLUDING ALL	1	L.S.	5500	5500.00	3000.00	3000.00	400.00	400.00	1400.00	1400.00	2500.00	2500.00
				TOTAL:	$14,602.50	TOTAL:	$13,540.00	TOTAL:	$13,794.50	TOTAL:	$13,940.00	TOTAL:	$17,175.00
						% over	0.00%	% over	0.00%	% over	0.00%	% over	17.62%
						% under	7.28%	% under	5.53%	% under	4.54%	% under	0.00%

EPO 4-01480

MI 81-56-9
4-27-94

BEFORE THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

RESOLUTION NO: 81-56-9

WHEREAS, the Board of Public Works is the designated leasing agent for the City of Fort Wayne;

WHEREAS, the City of Fort Wayne owns certain real estate legally described as set forth in Exhibit "A," attached hereto;

WHEREAS, the City of Fort Wayne desires to lease a fire station from the Fort Wayne Fire Station Building Corporation to be located on said real estate;

WHEREAS, the City of Fort Wayne desires to sell said real estate to the Fort Wayne Fire Building Corporation;

WHEREAS, I.C. 36-1-10-11 requires that before any such sale take place, two (2) appraisers must be appointed to appraise the fair market value of the land;

WHEREAS, Lowell Griffin and Roy Buskirk are appraisers professionally engaged in making appraisals or are licensed under I.C. 25-34.1;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Lowell Griffin and Roy Buskirk are hereby appointed as appraisers, pursuant to I.C. 36-1-10-11, to appraise the fair market value of the land described in Exhibit "A" attached hereto.

SECTION 2. Said appraisers are directed to return their appraisal to the Board of Public Works forthwith.

DATE: APRIL 27, 1994

BOARD OF PUBLIC WORKS

Charles E. Layton, Director
Public Works

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

Patricia J. Crick
Patricia J. Crick, Clerk

HI 81-52-8
4-20-94

IMPROVEMENT RESOLUTION #6331-94
E. STATE BLVD. - PARNELL AVE. TO SANTA ROSA DR. AND RANDALLIA DRIVE - E. STATE BLVD. TO LAKE AVE. IMPROVEMENT
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1) E. STATE BLVD. FROM PARNELL AVENUE TO SANTA ROSA DRIVE BY PARTIAL WIDENING, MILLING AND RESURFACING, NEW WATER MAIN AND STORM SEWER STRUCTURES AND WINGWALK

2) RANDALLIA DRIVE FROM E. STATE BLVD. TO LAKE AVENUE BY PAVEMENT REPAIR, MILLING AND RESURFACING, NEW WATER MAIN AND STORM SEWER STRUCTURES AND WINGWALK.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 20 day of APRIL, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

Parts of Lots numbered 25, 26 and 27 in DeLong's Addition, according the the plat thereof, recorded in Plat Book 25, page 88 in the Office of the Recorder of Allen County, Indiana, said parts all together being more particularly described as follows, to-wit:

Beginning at the point of intersection of the West line of said Lot number 26 with the Easterly right-of-way line of Red Haw Drive (formerly Auburn Road) as established under right-of-way grant dated September 8, 1960 and recorded in Deed Record 577, pages 81-84 in the Office of said Recorder; thence North 02 degrees 06 minutes West (Indiana Department of Highways bearing and is used as the basis for the bearings in this description), on and along the West line of Lots numbered 26 and 25, a distance of 396.75 feet; thence North 87 degrees 54 minutes East, a distance of 75.0 feet; thence South 66 degrees 53 minutes East, a distance of 205.0 feet to a point on the Northwesterly right-of-way line of North Clinton Street as established under said right-of-way grant; thence South 23 degrees 35 minutes West, on and along said Northwesterly right-of-way line, a distance of 434.75 feet to the point of intersection of said Northwesterly right-of-way line with the Northerly right-of-way line of said Red Haw Drive as established under said right-of-way grant; thence South 73 degrees 47 minutes West, on and along said Northerly right-of-way line, a distance of 44.8 feet to the point of intersection with the Easterly right-of-way line of said Red Haw Drive; thence North 19 degrees 08 minutes West, on and along said Easterly right-of-way line, a distance of 97.6 feet to the point of beginning, containing 1.814 acres of land.

H1 81-52-7
4-20-94

IMPROVEMENT RESOLUTION #6337-94
WASHINGTON CENTER ROAD INTERSECTION IMPROVEMENTS
(CEDIT BOND FUNDED)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve BY ADDING LEFT TURN LANES - WASHINGTON CENTER ROAD FROM DARTMOUTH DRIVE TO CLINTON STREET.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 20 day of APRIL, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

Jim Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

MI 81-52-6
4-20-94

EMERGENCY RESOLUTION NUMBER 81-52-6

WHEREAS, an existing 15" combination sewer in the alley South of the 1200 block of West Oakdale Drive has collapsed and is restricting normal flow of sewage; and,

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action; and,

WHEREAS, repair of the sewer is beyond the capability of Water Pollution Control Maintenance Department to perform; and,

WHEREAS, Dehner Construction, Inc., Bercot-Gibson Construction Co., Inc., Liberty Construction, Inc., and T-G Incorporated were invited to submit quotes on the repair; and,

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 20 day of April, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director Board of Public Works

Kath. A. Carrier

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

M1 81-51-8
4-13-94

IMPROVEMENT RESOLUTION #6335-94
LUDWIG ROAD - LIMA ROAD TO COLDWATER ROAD
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve

BY RESURFACING LUDWIG ROAD BETWEEN EAST EDGE OF PAVEMENT OF LIMA ROAD TO WEST EDGE OF PAVEMENT OF COLDWATER ROAD INCLUDING A DE-ACCELERATION LANE ON COLDWATER ROAD.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 13 day of APRIL, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-46-5
4-6-94

IMPROVEMENT RESOLUTION #6336-94

STAFFORD DRIVE - SHERBORNE BLVD. TO BOLTON DR.
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

STAFFORD DRIVE FROM SHERBORNE BLVD. TO BOLTON DRIVE BY PAVEMENT REMOVAL, PARTIAL NEW CURBS, WING WALKS AND RESURFACING.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 6 day of APRIL, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carr
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-46-4
4-6-94

IMPROVEMENT RESOLUTION #6332-94
HANNA STREET IMPROVEMENTS
CEDIT BOND AND SEWER UTILITY

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

The work for the Combined Sewer Reconnection consists of construction of approximately 99 feet of 36-inch diameter concrete gravity sewer, 16-inch diameter and 36-inch diameter ductile iron siphon barrels and fittings, two concrete siphon structures, two 72-inch diameter standard manholes, removal of abandoned sewers, filling of abandoned sewers with granular material, and all appurtenances necessary to complete the combined sewer reconnection work as shown on the drawings and as specified. This work is located at the intersection of Lasselle Street and Hanna Street.

The Hanna Street work will include resurfacing, curb replacement, sidewalk replacement, curb ramps, surface milling and other miscellaneous items necessary for the completion of this project. The Hanna Street project is comprised of two sections; Pettit Avenue to Rudisill Boulevard and Buchanan Street to Berry Street.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond and Sewer Utility Funds.

Adopted, this 6 day of APRIL, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Secretary and Clerk

H1 81-46-3
4-6-94

IMPROVEMENT RESOLUTION NO. 6330-94
OAKLAND STREET IMPROVEMENT - GREENLAWN AVE. TO MARGARET AVE.
CEDIT NEIGHBORHOOD /REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve :

OAKLAND STREET FROM THE NORTH CURB LINE OF GREENLAWN AVE. TO THE SOUTH CURB LINE OF MARGARET AVE. BY RECONSTRUCTING CURBS, DRIVEWAY APPROACHES, CURB RAMPS, SIDEWALKS AND REHABILITATE STORM SEWER STRUCTURES.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 60% on the real estate abutting on said improvements for curbs, walks and drive approaches and 40% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 6 day of APRIL, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST:
Patricia J. Crick
Secretary and Clerk

HI 81-46-2
4-6-94

Amended
RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA

RESOLUTION NO. 81-46-2

WHEREAS, pursuant to Ordinance S-08-94, the City Fort Wayne, Indiana, has issued its $7,000,000 Sewage Works Junior Revenue Bonds of 1994; and

WHEREAS, the costs of issuance of City of Fort Wayne, Indiana, Sewage Works Junior Revenue Bonds must be approved by the Board of Public Works.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE, INDIANA, BOARD OF PUBLIC WORKS:

SECTION 1. The City of Fort Wayne, Indiana, Board of Public Works, does hereby approve the following Costs of Issuance of City of Fort Wayne, Indiana, Sewage Works Junior Revenue Bonds set forth below:

Barnes & Thornburg	$30,000
Local Counsel, Helmke, Beams, Boyer & Wagner	18,000
Municipal Consultants	24,993
Moody's Rating Fee	~~10,000~~ 7,500.
Standard & Poor's Rating Fee	6,700

DATED: April 6, 1994

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST:
Patricia Crick, Clerk

NI 81-44-16
3-30-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-44-16

RESOLUTION RE CIVIC CENTER GARAGE 1 RATES

WHEREAS, the City of Fort Wayne has completed the 1993 audit of the Parking Administration Fund and its Garage 1 cost center; and,

WHEREAS, the City of Fort Wayne has applied the contractual formulas in its contract within Indiana Michigan Power and NBD to arrive at a rate increase of 49.8%; and,

WHEREAS, the City of Fort Wayne has not ever increased parking rates in Garage 1 since it began operation in 1980;

NOW, THEREFORE, the Board of Public Works hereby approves the attached rate increase proposal for Civic Center Garage 1 monthly parking rates as delineated below:

Current Rate	Spaces	New Rate	Type
$30	116	$45	Roof
$40	200	$60	12 Hour, Monday-Friday
$48	135	$72	24 hour, 7 Days

RESOLVED this 30th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

25-Mar-94

City of Fort Wayne
Civic Center Garage #1
Proposed 1994 Rate Changes

Category	1981A	1982A	1983A	1984A	1985A	1986A	1987A	1988A	1989A	1990A	1991A	1992A	1993A
Operating Expenses:													
Salaries	$26,834	$42,990	$30,458	$19,024	$20,997	$13,437	$14,089	$10,021	$14,435	$21,160	$16,682	$56,693	$51,723
Fringe Benefits	2,413	1,652	1,222	871	1,194	1,007	812	383	1,107	607	1,933	3,051	2,912
Insurance	5,570	6,727	8,174	5,780	8,075	9,303	9,020	5,748	4,970	6,050	2,872	4,711	3,623
Materials & Supplies	19,378	17,945	29,113	22,361	20,791	21,212	18,742	25,544	26,028	17,647	26,787	26,921	29,414
Equipment Maintenance	4,057	6,657	9,947	8,588	5,307	6,979	8,358	6,636	7,396	8,237	3,040	4,760	2,933
Building Maintenance	464	441	92	5,631	279	0	1,964	3,090	0	223	29,370	24,261	41,548
Annual Total	$58,716	$76,412	$79,006	$62,255	$56,643	$51,938	$52,985	$51,422	$53,936	$53,924	$80,684	$120,397	$132,153
Annual Percentage Change		**30.14%**	**3.39%**	**-21.20%**	**-9.01%**	**-8.31%**	**2.02%**	**-2.95%**	**4.89%**	**-0.02%**	**49.63%**	**49.22%**	**9.76%**
Five Year Percentage Change					**-17.40%**	**-16.85%**	**-5.31%**	**-3.43%**	**2.60%**	**2.05%**	**37.71%**	**67.05%**	**49.80%**

Employees:

1.) Number of employees directly involved in the operation of the parking garage: 2 in 1993

2.) Average yearly salary per job classification: $6,100 in 1993

3.) Ratio of the number of employees to the number of parking spaces: 2/451 in 1993

The first full year of operation of Civic Center Parking Garage #1 was 1981. The contract formula stipulates that the base year is the average of the last four years of the first five year period or 1982-1985. From that point the calculation becomes annual on the same rolling four and five year periods.

E = Estimated; A = Actual; P = Pre-Audit Information

Proposed Increase-Effective May 1, 1994: 49.80%

	Current Rates	Spaces	Implied New Rates*
	$30	116	$45
	$40	200	$60
	$48	135	$72
Totals		451	

* Using Audited 1993 Information

H1 81-43-7
3-30-94

IMPROVEMENT RESOLUTION #6334-94
RUDISILL/PLAZA NEIGHBORHOOD SIDEWALK RECONSTRUCTION
CEDIT NEIGHBORHOOD

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

EAST SIDE OF SOUTH ANTHONY BLVD. FROM A POINT 252 FT. NORTH OF THE CENTER-LINE OF McKINNIE AVENUE TO OXFORD STREET AND THE SOUTH SIDE OF OXFORD STREET FROM EUCLID AVENUE TO CENTRAL DRIVE AND EUCLID AVENUE FROM RUDISILL BLVD. TO OXFORD STREET; PARTIAL SIDEWALK AND WINGWALK RECONSTRUCTION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Neighborhood Funds.

Adopted, this 30 day of MARCH, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

K. A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-43-6
3-30-94

IMPROVEMENT RESOLUTION #6333-94
COLDWATER ROAD: COLISEUM BLVD. TO COLLINS ROAD
REDEVELOPMENT COMMISSION

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

COLDWATER ROAD FROM COLISEUM BLVD. TO COLLINS ROAD BY ADDING RIGHT TURN LANE FOR SOUTHBOUND TRAFFIC INCLUDING PAVEMENT, CURBS, SIDEWALKS, STREET LIGHTING, TRAFFIC SIGNALS, STORM SEWERS AND PAVEMENT MARKINGS.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne Redevelopment Commission.

Adopted, this 30 day of MARCH, 19 94.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-42-2
3-30-94

RESOLUTION

BOARD OF PUBLIC WORKS

RESOLUTION NO. 81-42-2

APPROVAL OF CONTRACT BETWEEN THE CITY OF FORT WAYNE AND WADE MILLER ASSOCIATES, INC. FOR PROFESSIONAL SERVICES

WHEREAS, the Common Council of the City of Fort Wayne established a City Utilities Citizen's Advisory Committee by Ordinance No. G-31-93 in November of 1993; and

WHEREAS, Section 4. of this Ordinance states upon the approval of the Board of Public Works and the Mayor, the Committee "may utilize the services of an independent consultant to review the operations of the Division of City Utilities and prepare a proposal for competitive bids for privatization"; and

WHEREAS, the Committee has determined that it does not have the requisite expertise to review and evaluate the operations of the Division of City Utilities or to make relevant proposals to the Common Council; and

WHEREAS, based on this lack of expertise, the Committee solicited proposals from a number of qualified consultants, and through the interview process determined that Wade Miller Associates, Inc. had submitted the best proposal for performing the necessary services; and

WHEREAS, Wade Miller Associates, Inc. has proposed to perform such services through a three (3) phased approach consisting of the following: Phase I - Review of Utility Operations; Phase II - Development of a Request for Proposals; Phase III - Evaluation of Proposals; and

WHEREAS, Wade Miller Associates, Inc. has provided a Scope of Services for Phase I, which tasks it proposes to provide for a sum not to exceed $58,208.98; and

WHEREAS, the Committee hereby requests approval of this Scope of Services and Contract between the City of Fort Wayne, Indiana, through its Board of Public Works, and by the Mayor of the City of Fort Wayne, Indiana; and

WHEREAS, the Committee also requests that payment of a sum not to exceed $58,208.98 for the consulting services to be

HI 81-36-16
3/16/94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-36-16

RESOLUTION RE GTE PATCH CORDS

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select a patch cord provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, GTE, for fiber optic patch cords; and,

WHEREAS, the new telecommunications system requires patch cords to connect the incoming fiber optic cable to the internal wiring systems of the buildings;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE contract for patch cords.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

provided by Wade Miller Associates, Inc. under its proposed Scope of Services to complete Phase I, be made by the Division of Public Utilities .

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF PUBLIC WORKS AND THE MAYOR OF THE CITY OF FORT WAYNE, INDIANA, hereby approve the engagement of Wade Miller Associates, Inc. to provide services under Phase I of its proposal as set out in the attached Scope of Services and Contract.

CITY OF FORT WAYNE

By: Its Board of Public Works

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

Attest: Patricia J. Crick
Patricia Crick, Clerk

Paul Helmke 3/31/94
Paul Helmke, Mayor

utilitie\advisory\resapprove.con

GTE Telephone Operations

COMMUNICATIONS SYSTEM AGREEMENT

FORM 90004060 (12-92)

DISTRIBUTION:
White – Accounting
Yellow – Customer
Pink – Maintenance Contract Control Center
Goldenrod – File

1 THIS AGREEMENT IS MADE BETWEEN

A Customer (subsequently referred to as "Customer"):	**B** GTE Entity (subsequently referred to as "GTE"):
CUSTOMER NAME City of Fort Wayne	GTE ENTITY NAME GTE Telecom Marketing
EQUIPMENT LOCATION STREET ADDRESS One Main Street	STREET ADDRESS 11611 N. Meridian Street, Suite 400
CITY Fort Wayne STATE IN ZIP CODE 46801	CITY Carmel STATE IN ZIP CODE 46032
BILLING STREET ADDRESS One Main Street	CUSTOMER HELPLINE TELEPHONE NUMBER 1-800-331-2883
CITY Fort Wayne STATE IN ZIP CODE 46801	REPAIR SERVICE TELEPHONE NUMBER 1-800-BOC-GTE1
CONTACT NAME Douglas Lehman CONTACT TELEPHONE NUMBER 219-427-1349	GTE REPRESENTATIVE NAME Kevin W. Vail TELEPHONE NUMBER 435-3333

2 PURCHASE CHOICES

☒ Direct Purchase
or
☐ Third Party Lease/Finance

☒ GTE Installation of the System Included

☐ Tax Exempt Number: ____________

3 PRICE

System Price	$ 37,725.00
Additional Warranty	$
Prepaid Maintenance	$
Applicable Taxes (estimate)	$
Total Price	$
Down Payment	$
Balance Due	$

4 ADDITIONAL WARRANTY

For the warranty period of a System installed by GTE, GTE will provide warranty maintenance services during GTE's normal business hours, Monday through Friday, excluding GTE-observed holidays. GTE will respond during these times to maintenance requests for major System failures within ________ hours of notice. When checked below, GTE will provide the following additional warranty coverage.

☐ **Around-the-Clock Warranty** $____________
Extends Office Hours warranty coverage to 24-hour coverage for major failures.

☐ **Warranty Plus** $____________

Extends initial warranty period by: ☐ 1 year ☐ 2 years ☐ 3 years (select one)

Customer selects the following maintenance plan for Warranty Plus: ☐ Office Hours ☐ Around-the-Clock (select one)

5 MAINTENANCE

Customer purchases after-warranty maintenance services under the Maintenance Plan and Payment Option selected below.

A Type of Maintenance Plan (Select One)

☐ **Office Hours**

☐ **Around-the-Clock**

GTE's Maintenance Services Guarantee

If, for any reason, you are not satisfied with our Maintenance Services and wish to cancel maintenance coverage, GTE will refund the unused portion of prepaid Maintenance Services. Simply notify GTE in writing at least thirty (30) days prior to cancellation.

B Maintenance Payment Options (Select One)

☐ Prepaid Maintenance – Discounted maintenance paid in advance $____________ (annual rate)

☐ Deferred Maintenance – Billing for maintenance, at today's price, is deferred until warranty expiration $____________ (annual rate)

Bill my deferred payment: ☐ annually ☐ semi-annually ☐ quarterly ☐ monthly

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
200		Multimode ST/ST Patch Cords 3M	12
200		Singlemode ST/ST Patch Cords 3M	12

Total Training Hours Allocated:

See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: ________ : ______________________

Attachment: ________ : ______________________

Attachment: ________ : ______________________

Attachment: ________ : ______________________

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:	**B** Accepted by GTE:
SIGNATURE	SIGNATURE
PRINTED NAME	PRINTED NAME
TITLE DATE	TITLE DATE

FOR GTE USE ONLY

Customer Account Number	Service Order Number	Customer P.O. Number *(if applicable)*

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

81-35-15

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-35-15

RESOLUTION RE GTE CALL ACCOUNTING SYSTEM

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select a call accounting system provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, GTE, for an ORBITEL call accounting system; and,

WHEREAS, the new telecommunications system requires an appropriate mechanism to effect cost allocation and system usage charge-backs;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE contract for an ORBITEL call accounting system.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

HI 81-35-14
3/16/94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-35-14

RESOLUTION RE GTE ACD SYSTEM

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select an automatic call distribution (ACD) system provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, GTE, for a Telequent ACD system; and,

WHEREAS, the new telecommunications system can improve productivity with an appropriate call routing mechanism in all call center areas of the City of Fort Wayne;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE contract for a Telequent ACD system.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Kath A Carrier
Katherine A. Carrier, Member

C James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

GTE Telephone Operations

COMMUNICATIONS SYSTEM AGREEMENT

FORM 90004060 (12-92)

DISTRIBUTION:
White – Accounting
Yellow – Customer
Pink – Maintenance Contract Control Center
Goldenrod – File

1 THIS AGREEMENT IS MADE BETWEEN

A Customer (subsequently referred to as "Customer"):	**B** GTE Entity (subsequently referred to as "GTE"):
CUSTOMER NAME City of Fort Wayne	GTE ENTITY NAME GTE Telecom Marketing Corporation
EQUIPMENT LOCATION STREET ADDRESS One Main Street	STREET ADDRESS 11611 N. Meridian Street, Suite 400
CITY Fort Wayne STATE IN ZIP CODE 46801	CITY Carmel STATE IN ZIP CODE 46032
BILLING STREET ADDRESS One Main Street	CUSTOMER HELPLINE TELEPHONE NUMBER 1-800-331-2883
CITY Fort Wayne STATE IN ZIP CODE 46801	REPAIR SERVICE TELEPHONE NUMBER 1-800-BOC-GTE1
CONTACT NAME Douglas Lehman CONTACT TELEPHONE NUMBER 219-427-1349	GTE REPRESENTATIVE NAME Kevin W. Vail TELEPHONE NUMBER 435-3333

2 PURCHASE CHOICES

☒ Direct Purchase
or
☐ Third Party Lease/Finance

☒ GTE Installation of the System Included

☐ Tax Exempt Number: ______________

3 PRICE

System Price	$ 36,890.00
Additional Warranty	$
Prepaid Maintenance	$
Applicable Taxes (estimate)	$
Total Price	$
Down Payment	$
Balance Due	$

4 ADDITIONAL WARRANTY

For the warranty period of a System installed by GTE, GTE will provide warranty maintenance services during GTE's normal business hours, Monday through Friday, excluding GTE-observed holidays. GTE will respond during these times to maintenance requests for major System failures within ____________ hours of notice. When checked below, GTE will provide the following additional warranty coverage.

☐ **Around-the-Clock Warranty** $______________________
Extends Office Hours warranty coverage to 24-hour coverage for major failures.

☐ **Warranty Plus** $______________________

Extends initial warranty period by: ☐ 1 year ☐ 2 years ☐ 3 years (select one)

Customer selects the following maintenance plan for Warranty Plus: ☐ Office Hours ☐ Around-the-Clock (select one)

5 MAINTENANCE

Customer purchases after-warranty maintenance services under the Maintenance Plan and Payment Option selected below.

A Type of Maintenance Plan (Select One)

☐ **Office Hours**

☐ **Around-the-Clock**

GTE's Maintenance Services Guarantee

If, for any reason, you are not satisfied with our Maintenance Services and wish to cancel maintenance coverage, GTE will refund the unused portion of prepaid Maintenance Services. Simply notify GTE in writing at least thirty (30) days prior to cancellation.

B Maintenance Payment Options (Select One)

☐ Prepaid Maintenance – Discounted maintenance paid in advance $______________ (annual rate)

☐ Deferred Maintenance – Billing for maintenance, at today's price, is deferred until warranty expiration $______________ (annual rate)

Bill my deferred payment: ☐ annually ☐ semi-annually ☐ quarterly ☐ monthly

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

GTE Telephone Operations

COMMUNICATIONS SYSTEM AGREEMENT

FORM 90004060 (12-92)

DISTRIBUTION:
White – Accounting
Yellow – Customer
Pink – Maintenance Contract Control Center
Goldenrod – File

1 THIS AGREEMENT IS MADE BETWEEN

A Customer (subsequently referred to as "Customer"):

CUSTOMER NAME City of Fort Wayne		
EQUIPMENT LOCATION STREET ADDRESS 1 Main Street		
CITY Fort Wayne	STATE IN	ZIP CODE 46801
BILLING STREET ADDRESS 1 Main Street		
CITY Fort Wayne	STATE IN	ZIP CODE 46801
CONTACT NAME Douglas Lehman	CONTACT TELEPHONE NUMBER 219-427-1349	

B GTE Entity (subsequently referred to as "GTE"):

GTE ENTITY NAME GTE Telecom Marketing Corporation		
STREET ADDRESS 11611 N. Meridian Street, Suite 400		
CITY Carmel	STATE IN	ZIP CODE 46032
CUSTOMER HELPLINE TELEPHONE NUMBER 1-800-331-2883		
REPAIR SERVICE TELEPHONE NUMBER 1-800-BOC-GTE1		
GTE REPRESENTATIVE NAME Kevin W. Vail	TELEPHONE NUMBER 219-461-3403	

2 PURCHASE CHOICES

☒ Direct Purchase
or
☐ Third Party Lease/Finance

☐ GTE Installation of the System Included

☐ Tax Exempt Number: ____________________

3 PRICE

System Price	$ 67,247.00
Additional Warranty	$
Prepaid Maintenance	$
Applicable Taxes (estimate)	$
Total Price	$
Down Payment	$
Balance Due	$

4 ADDITIONAL WARRANTY

For the warranty period of a System installed by GTE, GTE will provide warranty maintenance services during GTE's normal business hours, Monday through Friday, excluding GTE-observed holidays. GTE will respond during these times to maintenance requests for major System failures within __________ hours of notice. When checked below, GTE will provide the following additional warranty coverage.

☐ **Around-the-Clock Warranty** $ N/A
Extends Office Hours warranty coverage to 24-hour coverage for major failures.

☐ **Warranty Plus** $ N/A

Extends initial warranty period by: ☐ 1 year ☐ 2 years ☐ 3 years (select one)

Customer selects the following maintenance plan for Warranty Plus: ☐ Office Hours ☐ Around-the-Clock (select one)

5 MAINTENANCE

Customer purchases after-warranty maintenance services under the Maintenance Plan and Payment Option selected below.

A Type of Maintenance Plan (Select One)

☐ **Office Hours**

☐ **Around-the-Clock**

GTE's Maintenance Services Guarantee

If, for any reason, you are not satisfied with our Maintenance Services and wish to cancel maintenance coverage, GTE will refund the unused portion of prepaid Maintenance Services. Simply notify GTE in writing at least thirty (30) days prior to cancellation.

B Maintenance Payment Options (Select One)

☐ Prepaid Maintenance – Discounted maintenance paid in advance $ __________ (annual rate)

☐ Deferred Maintenance – Billing for maintenance, at today's price, is deferred until warranty expiration $ __________ (annual rate)

Bill my deferred payment: ☐ annually ☐ semi-annually ☐ quarterly ☐ monthly

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT.

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
1		Teltronics - Orbitel Call Accounting	12
		as described - turn key with installation	

Total Training Hours Allocated: ______ See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: ________ : ____________________ Attachment: ________ : ____________________

Attachment: ________ : ____________________ Attachment: ________ : ____________________

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:	**B** Accepted by GTE:
SIGNATURE	SIGNATURE
PRINTED NAME	PRINTED NAME
TITLE DATE	TITLE DATE

FOR GTE USE ONLY

Customer Account Number	Service Order Number	Customer P.O. Number *(if applicable)*

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT.

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
1		Controller Software for 11-20 Users	12
22		BRI Adapters	12
20		Agent Workstation Windows Software	12
1		Voice Service Module - 4 Port	12
1		VSM 9 Pin Cable	12
1		Informix Wiring Version 1	12
1		Informix On Line Runtime Version 4.0	12
1		Informix SQL Runtime Version 4.0	12
1		Informix ESQL/C Runtime Version 4.0	12
1		SCO Oper. Desktop Personal System Version 1.1	12
1		System Administration Course	12
		Teloquent ACD IVR System	

Total Training Hours Allocated: ______ See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: __________ : ______________________ Attachment: __________ : ______________________

Attachment: __________ : ______________________ Attachment: __________ : ______________________

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:	**B** Accepted by GTE:
SIGNATURE	SIGNATURE
PRINTED NAME	PRINTED NAME
TITLE DATE	TITLE DATE

FOR GTE USE ONLY

Customer Account Number	Service Order Number	Customer P.O. Number *(if applicable)*

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

HI 81-35-13
3/16/94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-35-13

RESOLUTION RE UNITED TELECOMMUNICATIONS VOICE MAIL

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select a voice mail system provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, United Telecommunications, for a Centigram voice mail system; and,

WHEREAS, a voice mail system is an integral part of the design and capability of the City's new ISDN digital telecommunications network and a key productivity platform for the 1990s;

NOW, THEREFORE, the Board of Public Works hereby approves the attached United Telecommunications contract for a Centigram voice mail system.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-35-12
3/16/94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-35-12

RESOLUTION RE GTE INTERNAL FIBER BACKBONE

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select an internal fiber optic cable provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, GTE, for internal fiber optic cable; and,

WHEREAS, the new system design requires internal fiber optic cable in both the City-County Building and the Police Operations Center;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE internal fiber optic cable contract.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Kath A Carri
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

PRESS HARD — YOU ARE MAKING 4 COPIES!

SALES AGREEMENT

United Telephone of Indiana
A Sprint Company

Page ______ of ______

WORK ORDER NUMBER

WARRANTY NUMBER

Between UNITED TELEPHONE COMPANY OF INDIANA, INC., Warsaw, Indiana and

City of Fort Wayne
Customer

Billing Address One Main Street Room B-16 City-County Bldg.
Fort Wayne IN 46802

INSTALLED EQUIPMENT ADDRESS One Main Street	PHONE NUMBER (219) 427-1100	DATE OF SALE
Room B-16 City-County Bldg.	BILL TO SPECIAL INSTRUCTIONS	INSTALL DUE DATE
Fort Wayne IN 46802		DATE TO BILL/INSTALL DATE

Customer agrees to pay the total price according to the payment terms set out on the face hereof. Invoices are payable upon receipt. United shall sell to Customer, and Customer shall purchase from United, the telephone equipment listed below:

EQUIPMENT SOLD	QTY.	UNIT PRICE	EXTENDED PRICE
Centigram Voicemail System	1		$77,357.00
24 Ports, 55 Hours Voice Storage			
Includes installation, training and one year warranty			

PAYMENT TERMS
Customer agrees to pay 25% of the total sales price upon signing of this agreement. Balance due & payable 30 days after completed installation.

Sale Transacted By ______________________
(United Sales Representative)

WARRANTY PERIOD	SUB TOTAL	$77,357.00
1 Year	INSTALLATION	5,875.00
Installation Costs Include Materials Required, Training, And Any Labor Provided By United At Company Prevailing Rates	TOTAL	$83,320.00
	SALES TAX	--
	TOTAL PRICE	$83,320.00

TERMS AND CONDITIONS ON THE REVERSE SIDE ARE A PART OF THIS AGREEMENT

CUSTOMER ______________________

BY ______________________
(PRINT OR TYPE NAME)

BY ______________________
(SIGNATURE) (DATE)

TITLE ______________________

UNITED TELEPHONE COMPANY OF INDIANA, INC.

ACCEPTED BY ______________________

TITLE ______________________

DATE ______________________

DISTRIBUTION: White—Business Unit Accounting Canary—Marketing Staff Pink—Customer Goldenrod—Regional Marketing

FORM MAR 1137-D Rev. 5-92

GTE Telephone Operations

COMMUNICATIONS SYSTEM AGREEMENT

FORM 90004060 (12-92)

DISTRIBUTION.
White – Accounting
Yellow – Customer
Pink – Maintenance Contract Control Center
Goldenrod – File

1 THIS AGREEMENT IS MADE BETWEEN

A Customer (subsequently referred to as "Customer"):	**B** GTE Entity (subsequently referred to as "GTE"):
CUSTOMER NAME City of Fort Wayne	GTE ENTITY NAME GTE Telecom Marketing Corporation
EQUIPMENT LOCATION STREET ADDRESS 1 Main Street	STREET ADDRESS 11611 N. Meridian Street, Suite 400
CITY Fort Wayne · STATE IN · ZIP CODE 46802	CITY Carmel · STATE IN · ZIP CODE 46032
BILLING STREET ADDRESS 1 Main Street	CUSTOMER HELPLINE TELEPHONE NUMBER 1-800-331-2883
CITY Fort Wayne · STATE IN · ZIP CODE 46802	REPAIR SERVICE TELEPHONE NUMBER 1-800-BOC-GTE1
CONTACT NAME Douglas Lehman · CONTACT TELEPHONE NUMBER 219-427-1349	GTE REPRESENTATIVE NAME Kevin W. Vail · TELEPHONE NUMBER 219-461-3403

2 PURCHASE CHOICES

☐ Direct Purchase
or
☐ Third Party Lease/Finance

☐ GTE Installation of the System Included

☐ Tax Exempt Number: ____________

3 PRICE

System Price	$ 82,200.00
Additional Warranty	$
Prepaid Maintenance	$
Applicable Taxes (estimate)	$
Total Price	$
Down Payment	$
Balance Due	$

4 ADDITIONAL WARRANTY

For the warranty period of a System installed by GTE, GTE will provide warranty maintenance services during GTE's normal business hours, Monday through Friday, excluding GTE-observed holidays. GTE will respond during these times to maintenance requests for major System failures within ________ hours of notice. When checked below, GTE will provide the following additional warranty coverage.

☐ **Around-the-Clock Warranty** $____________
Extends Office Hours warranty coverage to 24-hour coverage for major failures.

☐ **Warranty Plus** $____________

Extends initial warranty period by: ☐ 1 year ☐ 2 years ☐ 3 years (select one)

Customer selects the following maintenance plan for Warranty Plus: ☐ Office Hours ☐ Around-the-Clock (select one)

5 MAINTENANCE

Customer purchases after-warranty maintenance services under the Maintenance Plan and Payment Option selected below.

A Type of Maintenance Plan (Select One)

☐ **Office Hours**

☐ **Around-the-Clock**

GTE's Maintenance Services Guarantee

If, for any reason, you are not satisfied with our Maintenance Services and wish to cancel maintenance coverage, GTE will refund the unused portion of prepaid Maintenance Services. Simply notify GTE in writing at least thirty (30) days prior to cancellation.

B Maintenance Payment Options (Select One)

☐ Prepaid Maintenance – Discounted maintenance paid in advance $____________ (annual rate)

☐ Deferred Maintenance – Billing for maintenance, at today's price, is deferred until warranty expiration $____________ (annual rate)

Bill my deferred payment: ☐ annually ☐ semi-annually ☐ quarterly ☐ monthly

CENTIGRAM OPTIONS

Mesa Forms Software	$1,965.00
Spanish Prompts	$2,560.00
Fax Memo and First Two Ports	$14,969.00
Additional Two Port Increments	$4,551.00
Full E-Mail Integration (Voice Gateway)	$32,200.00
Text to Speech	$10,025.00
One Call Integration	$4,860.00

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
5100'		Fiber Optic Backbone in the City County Building and the	
		Police Operations Center	
		24 strand fiber and termination, testing	
16		19" x 7' Relay Rack	
21		Lightguide Distribution Shelf	
30		Cable Clamp	
11		Coupling Panel	
480		ST Coupling MultiMode	
240		ST Coupling SingleMode	
515		Lightguide connector ST MultiMode	
275		Lightguide connector ST SingleMode	
5		MultiMode Consumable Kit	
3		SingleMode Consumable Kit	
8		Buffer Kit	
5100'		Composite 24 Fiber Riser Cable	

Total Training Hours Allocated: ____ See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: ________ : ____________________ Attachment: ________ : ____________________

Attachment: ________ : ____________________ Attachment: ________ : ____________________

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:		B Accepted by GTE:	
SIGNATURE		SIGNATURE	
PRINTED NAME		PRINTED NAME	
TITLE	DATE	TITLE	DATE

FOR GTE USE ONLY

Customer Account Number	Service Order Number	Customer P.O. Number *(if applicable)*

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

H1 81-35-11
3-16-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-35-11

RESOLUTION RE GTE EXTERNAL FIBER OPTIC CABLE

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select an external fiber optic cable provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, GTE, for the external fiber optic cable between the City-County Building, the Lafayette Complex, and the Police Operations Center; and,

WHEREAS, the existing external cable system owned by the City of Fort Wayne is antiquated and near the end of its useful life;

WHEREAS, the Board of Public Works approved in late 1993 $80,000 for emergency fiber optic cable installation between the City-County Building and the Lafayette Complex;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE external fiber optic cable contract.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Kath A Carri
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-35-10
3-16-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-35-10

RESOLUTION RE GTE TELEPHONE INSTRUMENTS

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select a digital telephone instrument and console provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, GTE, for digital telephone instruments and consoles; and,

WHEREAS, the existing telephone instruments and consoles owned by the City of Fort Wayne are analog in design and will not work with an ISDN digital network;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE digital telephone instrument and console contract.

RESOLVED this 16th day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

GTE · Telephone Operations

COMMUNICATIONS SYSTEM AGREEMENT

FORM 90004060 (12-92)

DISTRIBUTION:
White – Accounting
Yellow – Customer
Pink – Maintenance Contract Control Center
Goldenrod – File

1 THIS AGREEMENT IS MADE BETWEEN

A Customer (subsequently referred to as "Customer"):	**B** GTE Entity (subsequently referred to as "GTE"):
CUSTOMER NAME City of Fort Wayne	GTE ENTITY NAME GTE Telecom Marketing Corporation
EQUIPMENT LOCATION STREET ADDRESS 1 Main Street	STREET ADDRESS 11611 N. Meridian Street, Suite 400
CITY Fort Wayne · STATE IN · ZIP CODE 46802	CITY Carmel · STATE IN · ZIP CODE 46032
BILLING STREET ADDRESS 1 Main Street	CUSTOMER HELPLINE TELEPHONE NUMBER 1-800-331-2883
CITY Fort Wayne · STATE IN · ZIP CODE 46802	REPAIR SERVICE TELEPHONE NUMBER 1-800-BOC-GTE1
CONTACT NAME Douglas Lehman · CONTACT TELEPHONE NUMBER 219-427-1349	GTE REPRESENTATIVE NAME Kevin W. Vail · TELEPHONE NUMBER 219-461-3403

2 PURCHASE CHOICES

☐ Direct Purchase
or
☐ Third Party Lease/Finance

☐ GTE Installation of the System Included

☐ Tax Exempt Number: ______________________

3 PRICE

System Price	$ 254,583.00
Additional Warranty	$ ________
Prepaid Maintenance	$ ________
Applicable Taxes (estimate)	$ ________
Total Price	$
Down Payment	$ ________
Balance Due	$ ________

4 ADDITIONAL WARRANTY

For the warranty period of a System installed by GTE, GTE will provide warranty maintenance services during GTE's normal business hours, Monday through Friday, excluding GTE-observed holidays. GTE will respond during these times to maintenance requests for major System failures within ____________ hours of notice. When checked below, GTE will provide the following additional warranty coverage.

☐ **Around-the-Clock Warranty** $______________________
Extends Office Hours warranty coverage to 24-hour coverage for major failures.

☐ **Warranty Plus** $______________________

Extends initial warranty period by: ☐ 1 year ☐ 2 years ☐ 3 years (select one)

Customer selects the following maintenance plan for Warranty Plus: ☐ Office Hours ☐ Around-the-Clock (select one)

5 MAINTENANCE

Customer purchases after-warranty maintenance services under the Maintenance Plan and Payment Option selected below.

A Type of Maintenance Plan (Select One)

☐ **Office Hours**

☐ **Around-the-Clock**

GTE's Maintenance Services Guarantee

If, for any reason, you are not satisfied with our Maintenance Services and wish to cancel maintenance coverage, GTE will refund the unused portion of prepaid Maintenance Services. Simply notify GTE in writing at least thirty (30) days prior to cancellation.

B Maintenance Payment Options (Select One)

☐ Prepaid Maintenance – Discounted maintenance paid in advance $ ______________________ (annual rate)

☐ Deferred Maintenance – Billing for maintenance, at today's price, is deferred until warranty expiration $ ______________________ (annual rate)

Bill my deferred payment: ☐ annually ☐ semi-annually ☐ quarterly ☐ monthly

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

GTE Telephone Operations

COMMUNICATIONS SYSTEM AGREEMENT

FORM 90004060 (12-92)

DISTRIBUTION:
White – Accounting
Yellow – Customer
Pink – Maintenance Contract Control Center
Goldenrod – File

1 THIS AGREEMENT IS MADE BETWEEN

A Customer (subsequently referred to as "Customer"):	**B** GTE Entity (subsequently referred to as "GTE"):
CUSTOMER NAME City of Fort Wayne	GTE ENTITY NAME GTE Telecom Marketing Corporation
EQUIPMENT LOCATION STREET ADDRESS 1 Main Street	STREET ADDRESS 11611 N. Meridian Street, Suite 400
CITY Fort Wayne STATE IN ZIP CODE 46802	CITY Carmel STATE IN ZIP CODE 46032
BILLING STREET ADDRESS 1 Main Street	CUSTOMER HELPLINE TELEPHONE NUMBER 1-800-331-2883
CITY Fort Wayne STATE IN ZIP CODE 46802	REPAIR SERVICE TELEPHONE NUMBER 1-800-BOC-GTE1
CONTACT NAME Douglas Lehman CONTACT TELEPHONE NUMBER 219-427-1349	GTE REPRESENTATIVE NAME Kevin W. Vail TELEPHONE NUMBER 219-461-3403

2 PURCHASE CHOICES

☒ Direct Purchase
or
☐ Third Party Lease/Finance

☐ GTE Installation of the System Included

☐ Tax Exempt Number: ____________

3 PRICE

System Price	$ 197,268.00
Additional Warranty	$
Prepaid Maintenance	$
Applicable Taxes (estimate)	$
Total Price	$
Down Payment	$
Balance Due	$

4 ADDITIONAL WARRANTY

For the warranty period of a System installed by GTE, GTE will provide warranty maintenance services during GTE's normal business hours, Monday through Friday, excluding GTE-observed holidays. GTE will respond during these times to maintenance requests for major System failures within ________ hours of notice. When checked below, GTE will provide the following additional warranty coverage.

☐ **Around-the-Clock Warranty** $ N/A
Extends Office Hours warranty coverage to 24-hour coverage for major failures.

☐ **Warranty Plus** $ N/A

Extends initial warranty period by: ☐ 1 year ☐ 2 years ☐ 3 years (select one)

Customer selects the following maintenance plan for Warranty Plus: ☐ Office Hours ☐ Around-the-Clock (select one)

5 MAINTENANCE

Customer purchases after-warranty maintenance services under the Maintenance Plan and Payment Option selected below.

A Type of Maintenance Plan (Select One)

☐ **Office Hours**

☐ **Around-the-Clock**

GTE's Maintenance Services Guarantee

If, for any reason, you are not satisfied with our Maintenance Services and wish to cancel maintenance coverage, GTE will refund the unused portion of prepaid Maintenance Services. Simply notify GTE in writing at least thirty (30) days prior to cancellation.

B Maintenance Payment Options (Select One)

☐ Prepaid Maintenance – Discounted maintenance paid in advance $ ________ (annual rate)

☐ Deferred Maintenance – Billing for maintenance, at today's price, is deferred until warranty expiration $ ________ (annual rate)

Bill my deferred payment: ☐ annually ☐ semi-annually ☐ quarterly ☐ monthly

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
13,500'	048x15-141xx-20	Composite Fiber Cable 48 Strand	12
9	355242	Buffer Kit	12
3,720	180035	MultiGard 3 Way	12
6,000'	540044	Innerduct 1 1/4"	12
5	540353	3 Way Bend 90/48R	12
2	540357	3 Way Bend 90/72R	12
2	540375	3 Way Flex Bend	12
8	521091	Cable Clamp Arm	12
32	355244	Cable Clamp Non-Arm	12
4	540298	27" Frame and Cover	12
21	358575	Coupling Panel (Pkg. 12)	12
635	355100	Litegide ST Connector;MultiMode	12
318	105271	Litegide ST Connector;SingleMode	12
608	358742	ST Coupling MultiMode	12
304	358576	ST Coupling SingleMode	12
10	540329	Standard Coupler	12

Total Training Hours Allocated: ____

See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: 1 : General Description

Attachment: ____ : ____

Attachment: ____ : ____

Attachment: ____ : ____

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:		B Accepted by GTE:	
SIGNATURE		SIGNATURE	
PRINTED NAME		PRINTED NAME	
TITLE	DATE	TITLE	DATE

FOR GTE USE ONLY

Customer Account Number: 219-427-1100

Service Order Number:

Customer P.O. Number *(if applicable)*:

E TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT.

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
710		LT1-1001S Lodestar ISDN Teleset	12
90		LT1-1001S with Display Lodestar ISDN Teleset	12
50		Northern Telecom M5317T ISDN Sets	12
850		NTI	12
850		ISDN Power Supply	12
4		Meridian Attendant Consoles	12

Total Training Hours Allocated:		See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: 1 : ____________ Attachment: ____ : ____________

Attachment: ____ : ____________ Attachment: ____ : ____________

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:	B Accepted by GTE:
SIGNATURE	SIGNATURE
PRINTED NAME	PRINTED NAME
TITLE DATE	TITLE DATE

FOR GTE USE ONLY

Customer Account Number	Service Order Number	Customer P.O. Number *(if applicable)*

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT

6 EQUIPMENT DESCRIPTION

System Type:

Quantity	Material Code	Item Description	Initial Warranty (In Months)
6	540330	Slip Coupler	12
3	HCPI	Hardware Package	12
1	540331	Manhole Terminator	12
4	10-000T	Handhole 4' x 4' x 2'	12
6	501415	Consumable Kit MultiMode	12
3	501423	Consumable Kit SingleMode	12

Total Training Hours Allocated:

See attached Equipment Description if equipment is not listed above.

7 ATTACHMENTS

Attachment: ________ : ______________________

Attachment: ________ : ______________________

Attachment: ________ : ______________________

Attachment: ________ : ______________________

8 AGREEMENT

GTE sells and Customer purchases the communications system (the "System") and the installation, warranty and maintenance services shown on page 1 and described more fully on the reverse sides of pages 1 and 2 and referenced attachments. This Agreement includes important provisions concerning limitations of liability, warranties, and responsibility for long distance, toll and other telecommunications charges incurred through use of the System. This Agreement is effective on the date accepted by GTE.

A Agreed to by Customer:

SIGNATURE

PRINTED NAME

TITLE

DATE

B Accepted by GTE:

SIGNATURE

PRINTED NAME

TITLE

DATE

FOR GTE USE ONLY

Customer Account Number
219-427-1100

Service Order Number

Customer P.O. Number *(if applicable)*

THE TERMS AND CONDITIONS PRINTED ON THE REVERSE SIDE OF PAGES 1 AND 2 ARE PART OF THIS AGREEMENT. PLEASE READ THESE TERMS AND CONDITIONS CAREFULLY BEFORE SIGNING THIS AGREEMENT.

BILL NO. S-94-02-12

SPECIAL ORDINANCE NO. S-__________

AN ORDINANCE approving CONTRACT between GTE NORTH, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONTRACT by and between GTE NORTH, INC. and the City of Fort Wayne, Indiana, in connection with the Board of Public Works, for:

certain telecommunications systems and other services for the City of Fort Wayne;

the contract price is One Million Five Hundred Thousand and no/100 Dollars ($1,500,000.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

____
Council Member

APPROVED AS TO FORM
AND LEGALITY

____
J. Timothy McCaulay, City Attorney

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

SYNOPSIS OF ORDINANCE APPROVES CONTRACT FOR CERTAIN TELECOMMUNICATIONS SYSTEMS SERVICES FOR THE CITY OF FORT WAYNE.

EFFECT OF PASSAGE CONTRACT IS APPROVED.

EFFECT OF NON-PASSAGE CONTRACT IS NOT APPROVED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)
$1,500,000.00.

ASSIGNED TO COMMITTEE (PRESIDENT)

HI 81-35-9
3-16-94

EMERGENCY RESOLUTION NUMBER 81-35-9

WHEREAS, an existing 18" combination sewer in the alley South of the 100 block of West Rudisill Blvd. has collapsed and is restricting normal flow of sewage; and,

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action; and,

WHEREAS, repair of the sewer is beyond capability of Water Pollution Control Maintenance Department to perform; and,

WHEREAS, Dehner Construction, Inc., Bercot-Gibson Construction Co., Inc. Crosby Excavating, Inc., and T-G Incorporated were invited to submit quotes on the repair; and,

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 16 day of MARCH, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director Board of Public Works

Keith A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

M1 81-35-8
3-16-94

AMENDED RESOLUTION

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids will be received at its office in Room 920 of the City-County Building on the 27th day of April, 1994 at 9:00 a.m. local time for residential solid waste collection and disposal for a period of five (5) years commencing on January 1, 1995. All bids will be opened and read aloud.

In addition to the other requirements, a bidder shall submit an alternate proposal for the provision of curbside recycling services in the City of Fort Wayne, beginning January 1, 1995. The contractor is encouraged to develop an innovative response to this proposal. Contractor's response shall be a supplement to proposals documents.

Other alternate proposals required are; all curbside waste pickup, yard waste pickup, leaf pickup and community cleanup.

The City reserves the right to reject any or all bids or alternates, to waive irregularities and/or informalities in any bid, and to make an award in any manner, consistent with law, deemed in the best interest of the City of Fort Wayne.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

Patricia J. Crick
Attest: Patricia J. Crick, Clerk

MI 81-34-7
3-16-94

A RESOLUTION declaring the intent to sell
real estate owned by the City of Fort Wayne

WHEREAS, The city of Fort Wayne Board of Public Works is listed as the owner of property described as:

Lot 108 in Section 3 of Park State East Subdivision, Township 31 North Range 13 East, Section 26. Key # 28-3618-5108

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely,

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 16 day of MARCH, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

Charles E. Layton, Director of Public Works

Keith A Carrier
Katherine Carrier, Board Member

James Owen
C. James Owen, Board Member

HI 81-34-6
3-16-94

A RESOLUTION declaring the intent to sell
real estate owned by the City of Fort Wayne

WHEREAS, The city of Fort Wayne Board of Public Works is listed as the owner of property described as:

Lot 29 in Park State East, Extended, Section A, Subdivision, Township 31 North, Range 13 East, Section 26. Key # 28-4398-5029

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely,

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 16 day of MARCH, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

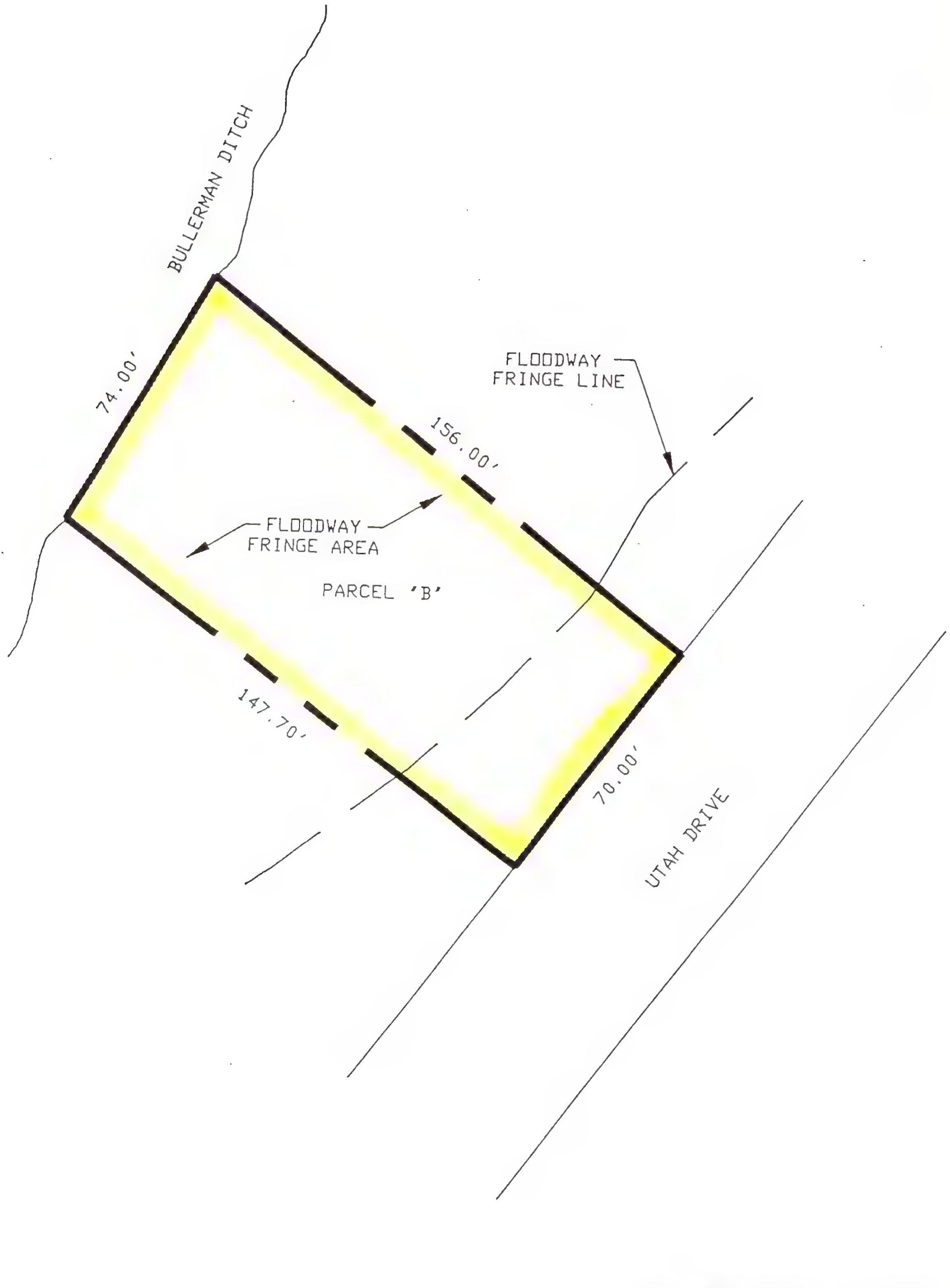
Charles E. Layton, Director of Public Works

Kath A Carrier
Katherine Carrier, Board Member

James Owen
C. James Owen, Board Member

SITE PLAN

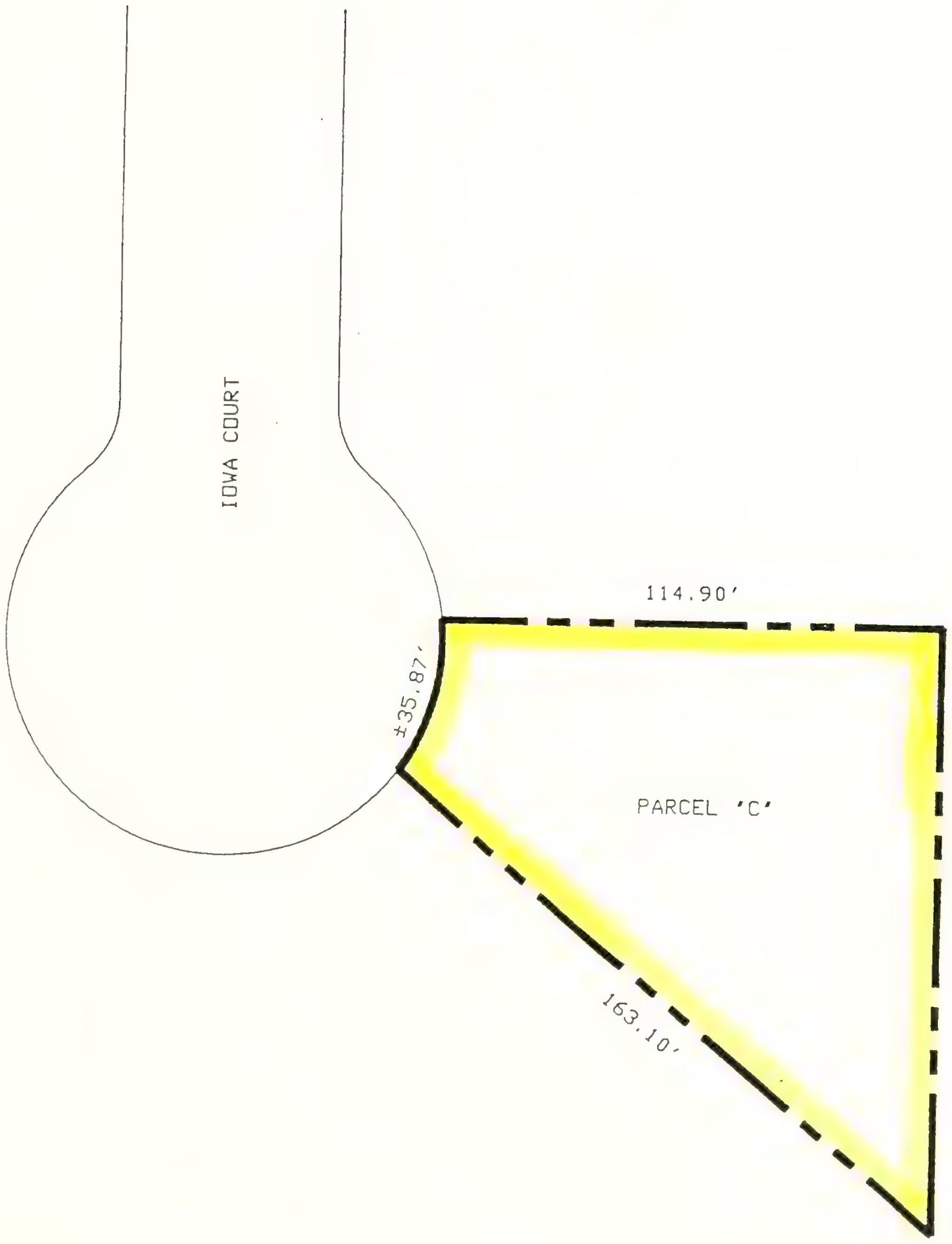
LAND AREA = ±10,889.35 sf
LAND AREA IN FLOODWAY = ±8,552 sf


BULLERMAN DITCH
74.00'
156.00'
FLOODWAY FRINGE LINE
FLOODWAY FRINGE AREA
PARCEL 'B'
147.70'
70.00'
UTAH DRIVE

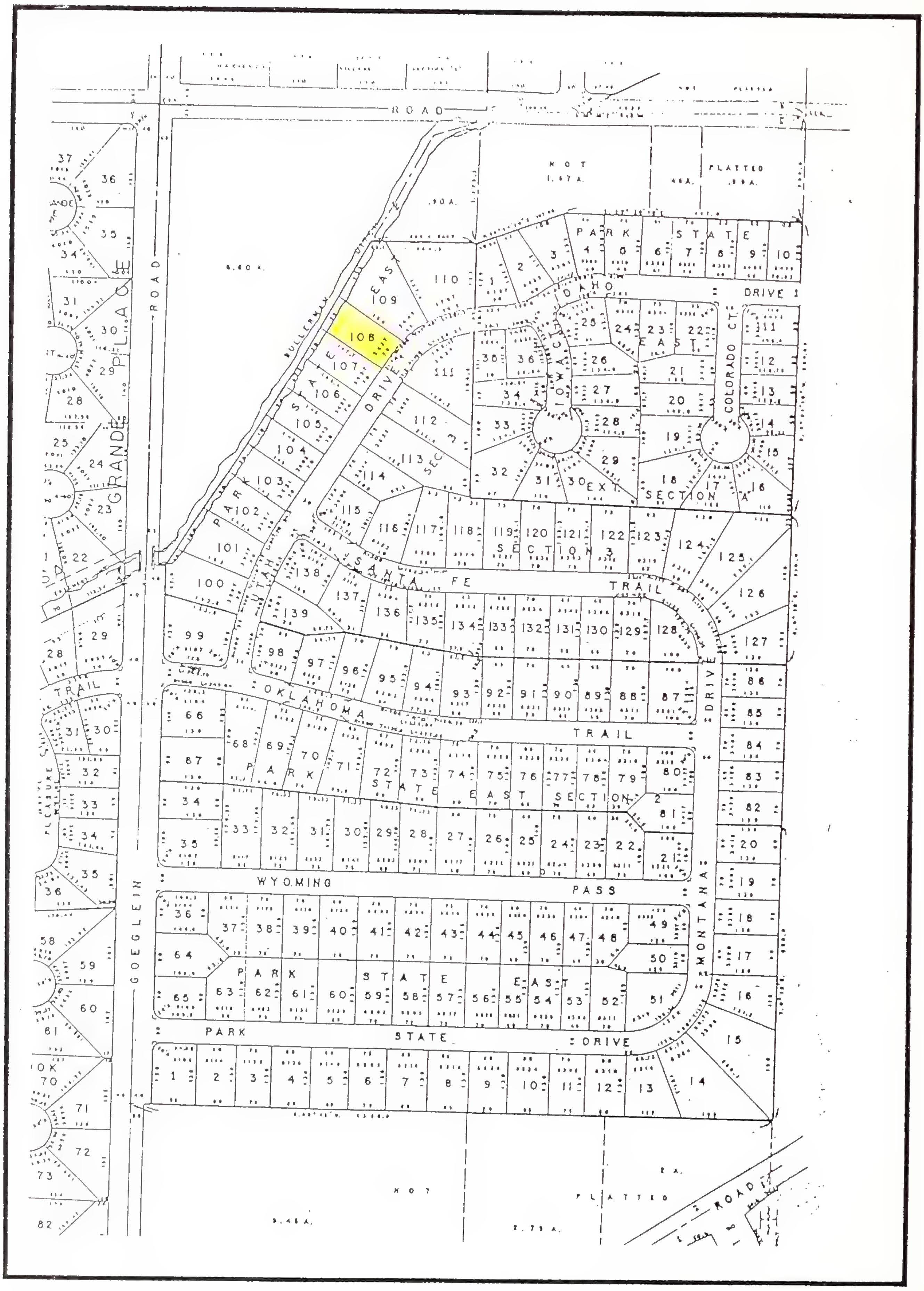
SCALE : 1'=40'
CAD FILE : FWWORK-4
DWG. NAME : F.W. BOARD OF PUBLIC WORKS #108

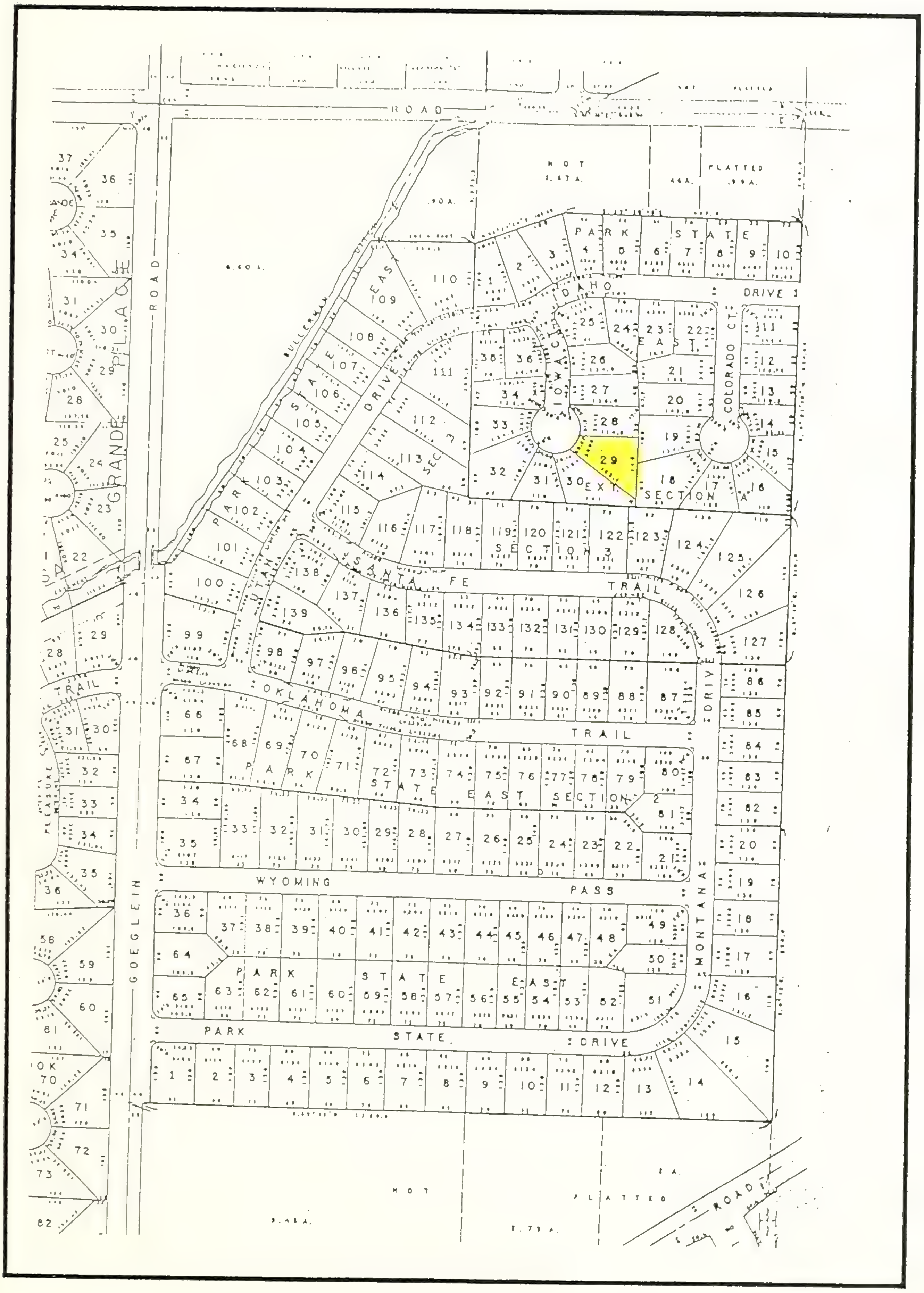
SITE PLAN

LAND AREA = ±10,617.64 sf


IOWA COURT
114.90′
±35.87′
PARCEL ′C′
140.00′
163.10′

SCALE : 1′=40′
CAD FILE : FWWORK-3
DWG. NAME : FT. WAYNE BOARD OF PUBLIC WORKS #29


ROAD
GOEGLEIN ROAD
GRANDE PLACE
TRAIL
PLEASURE
BULLERMAN DITCH
PARK STATE EAST
UTAH DRIVE
SEC. 3
IDAHO DRIVE
IOWA CT.
COLORADO CT.
EAST
EXT. SECTION A
SECTION 3
SANTA FE TRAIL
OKLAHOMA TRAIL
PARK STATE EAST SECTION 2
WYOMING PASS
MONTANA DRIVE
PARK STATE EAST
PARK STATE DRIVE
NOT PLATTED
NOT PLATTED
108
6.60 A.
1.67 A.
.46 A.
.99 A.
.90 A.
5.46 A.
2.75 A.
2 A.


ROAD
NOT PLATTED
GOEGLEIN ROAD
GRANDE PLACE
BULLERMAN DITCH
PARK STATE EAST SECTION 3
IDAHO DRIVE
IOWA CT.
COLORADO CT.
PARK STATE EAST SECTION A EXT.
UTAH DRIVE
SANTA FE TRAIL
OKLAHOMA TRAIL
PARK STATE EAST SECTION 2
WYOMING PASS
PARK STATE EAST
PARK STATE DRIVE
MONTANA DRIVE
TRAIL
29
ROAD
NOT PLATTED

H1 81-34-5
3-16-94

A RESOLUTION declaring the intent to sell
real estate owned by the City of Fort Wayne

WHEREAS, The city of Fort Wayne Board of Public Works is listed as the owner of property described as:

Lot 67 in Section 2 of Park State East Subdivision, Township 31 North Range 13 East, Section 26. Key # 28-3618-5067

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely,

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

Signed this 16 day of MARCH, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

Charles E. Layton, Director of Public Works

Kath A. Carrier
Katherine Carrier, Board Member

James Owen
C. James Owen, Board Member

HI 81-34-4
3/16/94

A RESOLUTION declaring the intent to sell
real estate owned by the City of Fort Wayne

WHEREAS, The city of Fort Wayne Board of Public Works is listed as the owner of property described as:

Lot 34 in Section 1 of Park State East Subdivision, Township 31 North, Range 13 East, Section 26. Key #28-3618-5034

WHEREAS, The Board of Public Works has determined that the City of Fort Wayne has no present use for this property, and that future use by the City is unlikely,

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby resolves to declare an intent to sell the above-named property, following all applicable state statutes.

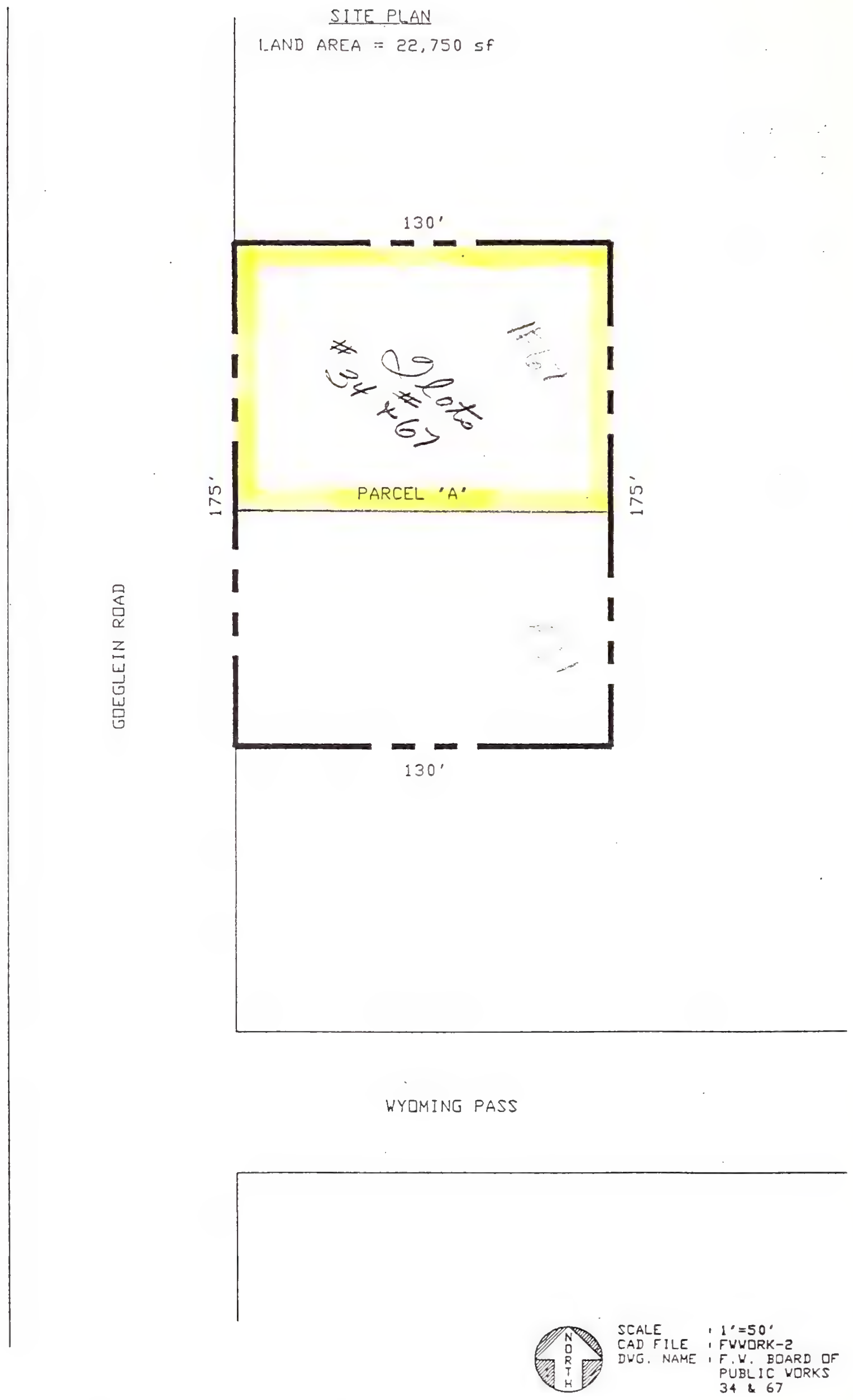
Signed this 16 day of MARCH, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

Charles E. Layton, Director of Public Works

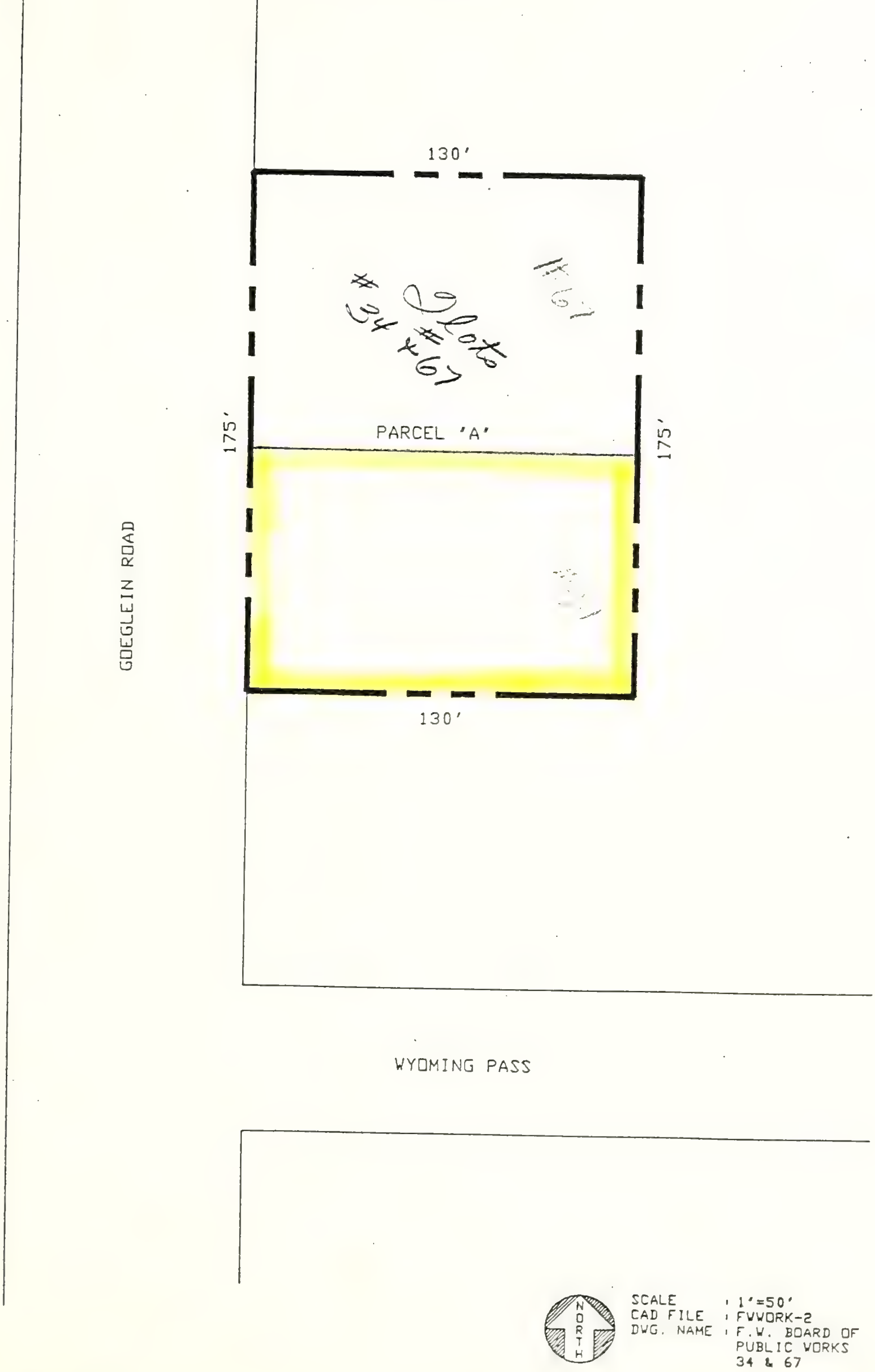
Kath A. Carr
Katherine Carrier, Board Member

James Owen
C. James Owen, Board Member

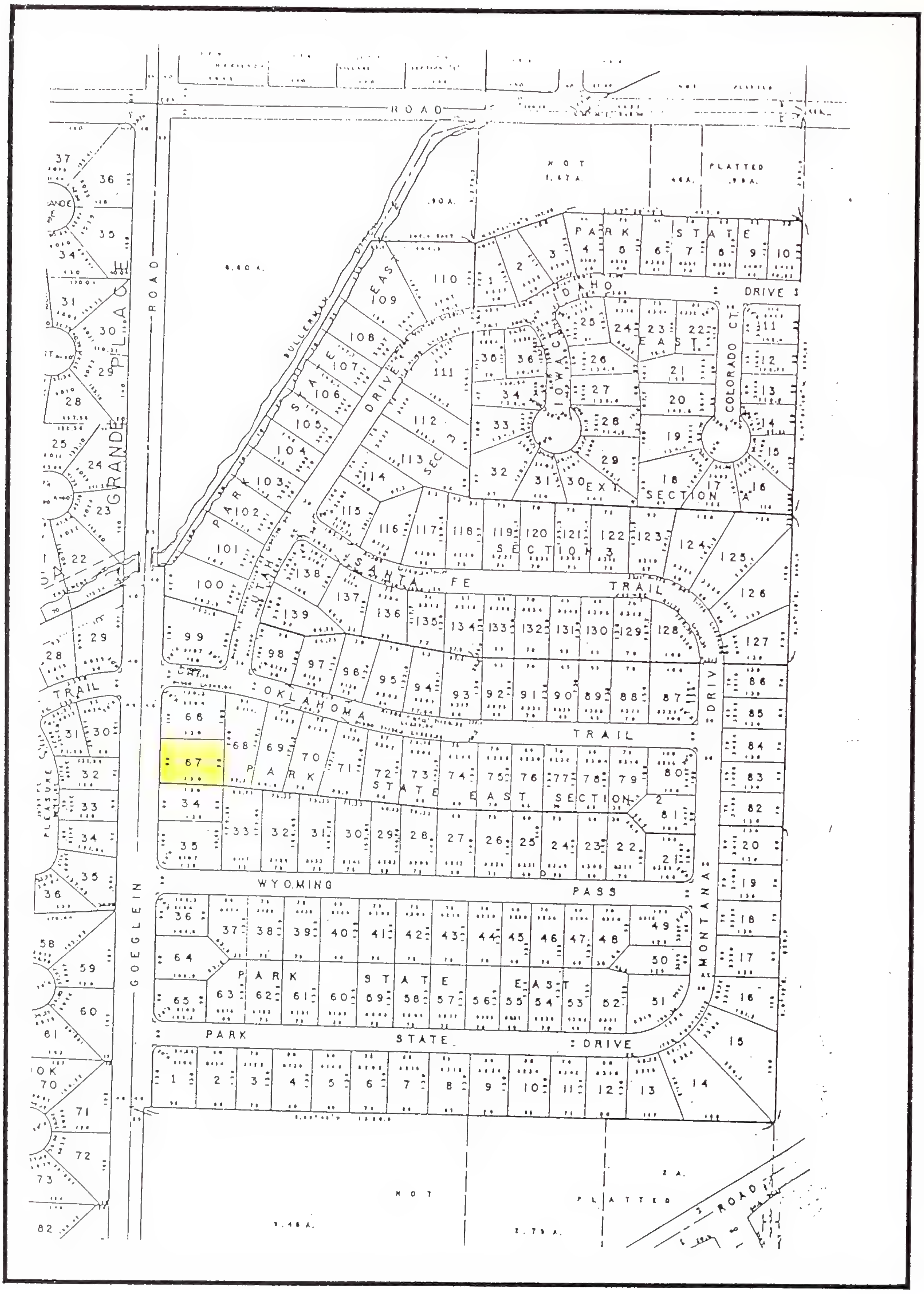

SITE PLAN
LAND AREA = 22,750 sf
130'
Plots
#34 & #67
PARCEL 'A'
175'
175'
130'
GOEGLEIN ROAD
WYOMING PASS
NORTH
SCALE : 1'=50'
CAD FILE : FWWORK-2
DWG. NAME : F.W. BOARD OF PUBLIC WORKS 34 & 67

SITE PLAN

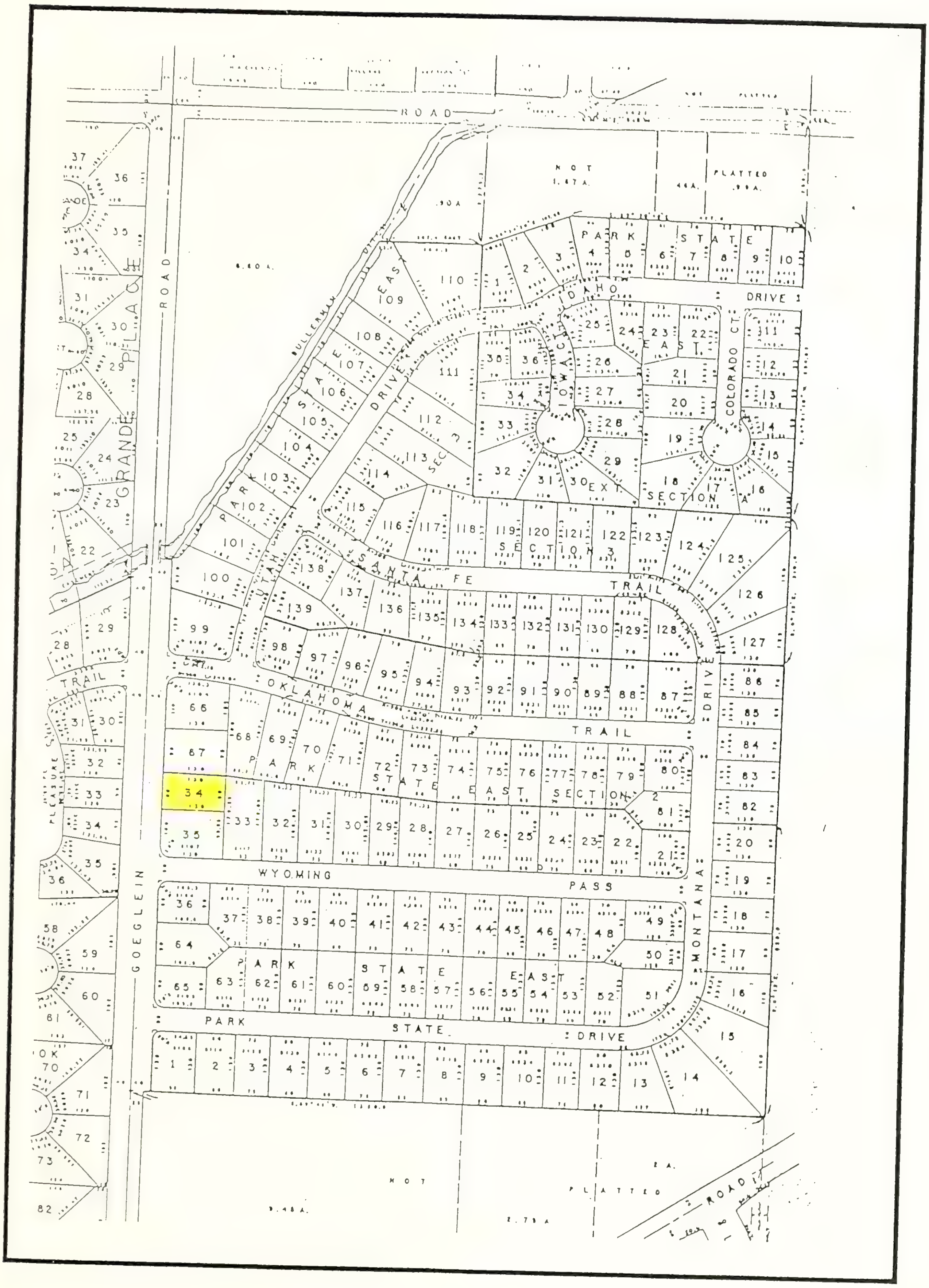
LAND AREA = 22,750 sf


130'
Plots #34 & #67
#67
175'
PARCEL 'A'
175'
GOEGLEIN ROAD
130'
WYOMING PASS
NORTH

SCALE : 1'=50'
CAD FILE : FWWORK-2
DWG. NAME : F.W. BOARD OF PUBLIC WORKS 34 & 67



ROAD
NOT PLATTED
PARK STATE DRIVE
IDAHO
EAST
COLORADO CT.
IOWA CT.
SECTION A
EXT.
SEC. 3
SECTION 3
SANTA FE TRAIL
UTAH
DRIVE
PARK STATE
BULLERMAN DITCH
OKLAHOMA TRAIL
PARK STATE EAST SECTION 2
WYOMING PASS
MONTANA DRIVE
PARK STATE
PARK STATE DRIVE
GOEGLEIN ROAD
RIO GRANDE PLACE
PLEASURE
TRAIL
CT.
67


ROAD
GOEGLEIN ROAD
GRANDE PLACE
PLEASURE
TRAIL
NOT PLATTED
PARK STATE
DRIVE
IDAHO
IOWA CT.
COLORADO CT.
EAST
EXT. SECTION A
EAST SEC. 3
PARK STATE EAST
UTAH
DRIVE
SECTION 3
SANTA FE TRAIL
OKLAHOMA TRAIL
PARK STATE EAST SECTION 2
WYOMING PASS
MONTANA DRIVE
PARK STATE EAST
PARK STATE DRIVE
NOT PLATTED
ROAD
34

HI 81-34-3
3/16/94

RESOLUTION

BOARD OF PUBLIC WORKS

RESOLUTION NO. 81-34-3

TRANSFER OF COMMUNICATION EQUIPMENT TO FORT WAYNE COMMUNITY SCHOOLS

WHEREAS, the City owns certain communication equipment which became obsolete in the 1970's and is no longer in use, which equipment is more fully described as "the relay interface and power supply for the hard wired Gamewell fire alarm system;" and

WHEREAS, this equipment is of no value to the City of Fort Wayne; and

WHEREAS, Fort Wayne Community School Corporation is willing to accept this equipment "as is," and could use it as a teaching aid; and

WHEREAS, Fort Wayne Community Schools has agreed to exchange said equipment for a letter of acceptance; and

WHEREAS, it is beneficial to the City of Fort Wayne for said communications equipment to be transferred to and accepted by the Fort Wayne Community Schools in that the City will not have to bear the cost of otherwise disposing of this equipment; and

WHEREAS, this transfer and exchange is permitted under Indiana Code Section 36-1-11-8 by resolution of both parties.

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA, hereby declares it in the best interest of the City that it transfer to the Fort Wayne Community School Corporation communication equipment for the relay interface and power supply for the hard wired Gamewell fire alarm system in exchange for a letter of acceptance. This transfer and exchange is hereby approved, this 16 day of MARCH, 1994

CITY OF FORT WAYNE

By: Its Board of Public Works

Charles E. Layton, Director

Kathe A Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

Attest: Patricia J Crick
Patricia Crick, Clerk

H1 81-31-11
3/9/94

BOARD OF PUBLIC WORKS

RESOLUTION 81-31-11

RESOLUTION CONCERNING TECHNICAL SERVICES

WHEREAS, the Board of Public Works received a request from Technical Services Department to increase their in-house rate from $23.00 to $24.00 and the outside rate from $26.00 to $27.00 because of higher labor and material costs.

WHEREAS, this rate increase will be effective March 21, 1994.

Adopted this 9 day of MARCH, 1994.

BOARD OF PUBLIC WORKS

BY: ______________________
Charles E. Layton
Director of Public Works

Katherine A. Carrier
Katherine A. Carrier
Board Member

James Owen
C. James Owen
Board Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

HI 81-31-10
3-9-94

RESOLUTION 81-31-10

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that sealed bids will be received at its office in Room 920 of the City-County Building on the 20th day of April, 1994 at 9:00 a.m. local time for residential solid waste collection and disposal for a period of five (5) years commencing on January 1, 1995. All bids will be opened and read aloud.

In addition to the other requirements, a bidder shall submit an alternate proposal for the provision of curbside recycling services in the City of Fort Wayne, beginning January 1, 1995. The contractor is encouraged to develop an innovative response to this proposal. Contractor's response shall be a supplement to proposals documents.

Other alternate proposals required are; all curbside waste pickup, yard waste pickup, leaf pickup and community cleanup.

The City reserves the right to reject any or all bids or alternates, to waive irregularities and/or informalities in any bid, and to make an award in any manner, consistent with law, deemed in the best interest of the City of Fort Wayne.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

Patricia J. Crick
Attest: Patricia J. Crick, Clerk

HI 81-30-9
3-9-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-30-9

RESOLUTION FOR THE ACQUISITION OF REAL ESTATE AND ESTABLISHING THE ACQUISITION AMOUNT FOR THE AREA TO BE KNOWN AS HEADWATERS PARK

Whereas, the Board of Public Works desires to acquire certain lands in the City of Fort Wayne for the purpose of flood control and the eventual use of parts thereof for a public park to be known as Headwaters Park; and

Whereas, the Board of Public Works is the purchasing agent pursuant to I.C. 36-1-1.5-3 for the purpose of effecting said acquisition; and

WHEREAS, the Board of Public Works has employed the Redevelopment Commission as its agent in the negotiation for and purchase of such real estate, relocation, environmental remediation, demolition and other functions in aid of acquisition and clearance; and

WHEREAS, the Board of Public Works has adopted Resolutions 80-146-11 and 80-194-7 accepting the Redevelopment Commission's recommendation to acquire a total of twenty eight (28) parcels for the project; and

WHEREAS, the Redevelopment Commission has identified one (1) additional parcel for acquisition; and

WHEREAS, the parcel is described as the East Fifty-eight (58) Feet of Lot 2, Original Plat; and

WHEREAS, the Redevelopment Commission has retained two independent state licensed MAI appraisers for the purpose of determining the market value of the real estate; and

WHEREAS, the Redevelopment Commission recommends that the maximum offering price for each parcel be established as the average of the two appraisals; and

WHEREAS, the Redevelopment Commission recommends that the Board of Works accept state relocation regulations found at I.C. 8-23-17, and agree that relocation expenses paid to occupants shall comply with said regulations.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that:

1. The parcel herein identified is approved for acquisition.
2. The maximum offering price for the parcel is hereby established as the average of two appraisals.
3. State relocation regulations are hereby accepted and relocation expenses paid to occupants shall comply with said regulations.

Resolved this 9th day of March, 1994.

FORT WAYNE BOARD OF PUBLIC WORKS

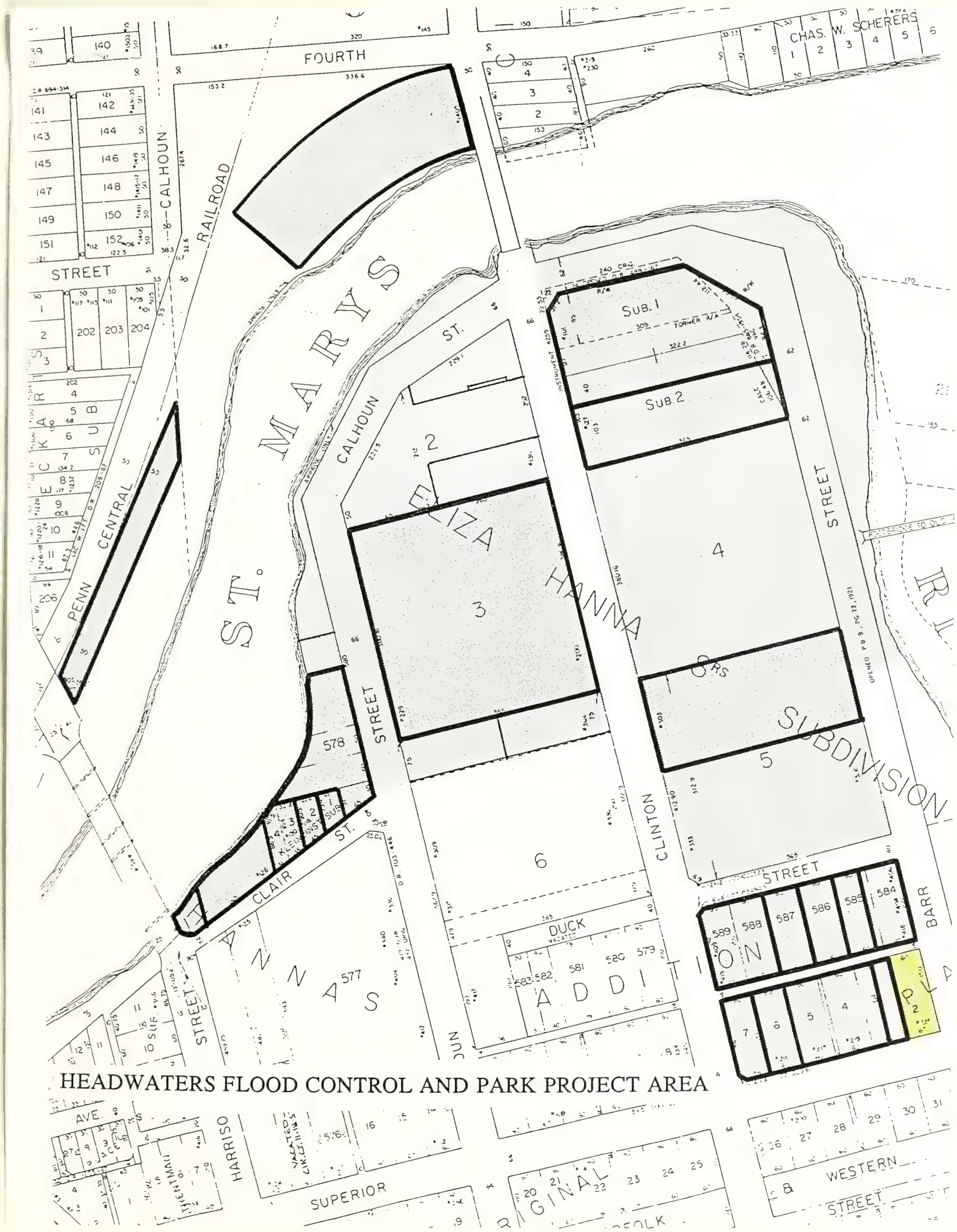
Charles E. Layton, Director

James Owen
C. James Owen, Member

Kathie A. Carrier
Katherine A. Carrier, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk



HEADWATERS FLOOD CONTROL AND PARK PROJECT AREA

FOURTH
CHAS. W. SCHERERS
CALHOUN
RAILROAD
STREET
ST. MARYS
PENN CENTRAL
CALHOUN ST.
ELIZA HANNA HRS SUBDIVISION
Sub. 1
Sub. 2
FORMER R/W
INSTRUMENT
2
3
4
5
6
STREET
CLINTON
BARR
578
CLAIR ST.
HANNAS 577
DUCK
VACATED
583 582 581 580 579
ADDITION
589 588 587 586 585 584
7 6 5 4 3 2
AVE.
HARRISO
VACATED
SUPERIOR
ORIGINAL
20 21 22 23 24 25
26 27 28 29 30 31
WESTERN
STREET
FOOTBRIDGE TO OLD
OPENED P.U. 9, PG 72, 1921

H1 81-27-10
3-2-94

IMPROVEMENT RESOLUTION #6325-94
COLLINS ROAD - SPEEDWAY DRIVE TO COLDWATER ROAD
CEDIT BOND

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

COLLINS ROAD FROM SPEEDWAY DRIVE TO COLDWATER ROAD BY RECONSTRUCTING ROADWAY WHICH INCLUDES:
REMOVING EXISTING PAVEMENT AND CONSTRUCTING NEW BITUMINOUS OR CONCRETE (ALTERNATE) PAVEMENT, CONCRETE CURBS, DRIVEWAY APPROACHES, REHABILITATE STORM SEWER SYSTEM, PAVEMENT MARKINGS AND SEEDING RESTORATION.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Bond Funds.

Adopted, this 2 day of MARCH, 19 94.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81 26-8
3-2-94

EMERGENCY RESOLUTION NUMBER 81-26-8

WHEREAS, an existing 12" combination sewer in the alley North of the 1300 block of Huestis Avenue has collapsed and is restricting normal flow of sewage; and,

WHEREAS, said collapse could not reasonably be foreseen and requires immediate action; and,

WHEREAS, repair of the sewer is beyond capability of Water Pollution Control Maintenance Department to perform; and,

WHEREAS, Dehner Construction, Inc., Bercot-Gibson Construction Co., Inc., Crosby Excavating, Inc., and Liberty Construction, Inc., were invited to submit quotes on the repair; and,

NOW, THEREFORE, the Board of Public Works hereby declares an emergency exists for said sewer repair and orders the Purchasing Department to issue an **EMERGENCY PURCHASE ORDER TO THE CONTRACTOR CHOSEN FOR SAID REPAIR.**

APPROVED this 2 day of MARCH, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director Board of Public Works

Kath A. Carri

Katherine A. Carrier, Member

C. James Owen., Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

HI 81-26-7
3-2-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-26-7

RESOLUTION RE KLF TELECOMMUNICATIONS WIRING

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select a telecommunications internal wiring provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a contract with the successful proposer, KLF, for the internal wiring of the City-County Building and the Police Operations Center; and,

WHEREAS, the existing internal wiring system owned by the City of Fort Wayne is antiquated and near the end of its useful life;

NOW, THEREFORE, the Board of Public Works hereby approves the attached KLF internal wiring contract.

RESOLVED this 2nd day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Kath A. Carr
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-26-6
3-2-94

BOARD OF PUBLIC WORKS

RESOLUTION NUMBER 81-26-6

RESOLUTION CONCERNING GTE NETWORK SERVICES

WHEREAS, the City of Fort Wayne has conducted an exhaustive Request For Proposal process to select a telecommunications network services provider; and,

WHEREAS, the City of Fort Wayne has successfully negotiated a long-term contract with the successful proposer, GTE, for digital ISDN (Integrated Services Digital Network) services for both voice and data; and,

WHEREAS, the existing system owned by the City of Fort Wayne is antiquated and near the end of its useful life;

NOW, THEREFORE, the Board of Public Works hereby approves the attached GTE Network Services Agreement.

RESOLVED this 2nd day of March, 1994.

BOARD OF PUBLIC WORKS:

Charles E. Layton, Director

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

H1 81-23-6
2-23-94

SEDDLEMEYER AVENUE
WATER MAIN EXTENSION
RESOLUTION 1062-94

RESOLVED by the Board of Public Works that it is deemed necessary to construct:

> **A water main on the north side of Seddlemeyer Avenue from Anthony Boulevard easterly 1375± L.F. to Bauer Avenue**

And said improvements with all appurtenances, shall be constructed in accordance with the plans, profiles, and specifications now on file in the Department of the Board of Public Works of said City.

The cost of said water system project shall be paid and shared by the City of Fort Wayne and by the benefited property owners.

The property holders share of said improvement shall be apportioned against and paid by the said property holders benefited by said improvements all according to the method and manner provided for in the Acts of the General Assembly of the State of Indiana.

Assessments, if deferred, are to be paid in ten equal installments with interest at a rate of **seven (7%) percent per annum,** and shall be financed under Revolving Barrett Law Funds as provided for in the above-entitled acts and all amendments thereto and supplemental thereof.

ADOPTED THIS 23 **DAY OF** FEBRUARY**, 1994.**

Board of Public Works

BY: ______________________ **BY:** Kath A Carr

Charles E. Layton, Member **Katherine A. Carrier, Member**

BY: James Owen **ATTEST:**

C. James Owen, Member

Patricia J. Crick

Patricia J. Crick, Clerk

APPROVED as to form and legality by ______________________
Attorney-at-Law.

H1 81-23-5
2-23-94

IMPROVEMENT RESOLUTION NO. 6328-94

LYNN AVENUE IMPROVEMENT - CALIFORNIA AVENUE TO FLORIDA AVENUE (CEDIT NEIGHBORHOOD FUNDED/REVOLVING BARRETT LAW)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve :

LYNN AVENUE FROM THE EAST CURB LINE OF CALIFORNIA AVENUE TO THE WEST CURB LINE OF FLORIDA AVENUE BY RECONSTRUCTING ROADWAY WHICH INCLUDES: REMOVING EXISTING PAVEMENT, NEW BITUMINOUS PAVEMENT, RECONSTRUCTING CURBS, RECONSTRUCTING DRIVEWAY APPROACHES, CURB RAMPS AND REHABILITATE STORM SEWER SYSTEM.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 50% on the real estate abutting on said improvements for curbs and driveway approaches and 50% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 23 day of February, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Kath A Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

H1 81-23-4
2-23-94

IMPROVEMENT RESOLUTION NO.6324-94
FAIRMONT PLACE ADDITION CURB & SIDEWALK IMPROVEMENT PHASE IV
CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

FAIRFIELD AVENUE FROM THE SOUTH CURB LINE OF RUDISILL BLVD. TO THE NORTH CURB LINE OF WEST FOSTER PARKWAY BY RECONSTRUCTING THE CURBS WIDENING PAVEMENT, RECONSTRUCTING SIDEWALKS AND DRIVE APPROACHES, CURB RAMPS AS NEEDED AND REHABILITATE STORM SEWER STRUCTURES.

ALSO, FAIRFIELD AVENUE FROM THE SOUTH CURB LINE OF WEST FOSTER PARKWAY TO THE NORTH CURB LINE OF BRANNING AVENUE; WEST FOSTER PARKWAY FROM THE WEST CURB LINE OF FAIRFIELD AVENUE TO THE EAST CURB LINE OF ARLINGTON AVENUE AND BRANNING AVENUE FROM WEST CURB LINE OF FAIRFIELD AVENUE TO EAST CURB LINE OF ARLINGTON AVENUE BY RECONSTRUCTING THE CURBS, SIDEWALKS, DRIVE APPROACHES AND CURB RAMPS AS NEEDED.

ALSO, THE SOUTH SIDE OF RUDISILL BLVD. FROM THE WEST RIGHT OF WAY LINE OF FAIRFIELD AVENUE TO THE EAST RIGHT OF WAY LINE OF ARLINGTON AVENUE BY RECONSTRUCTING SIDEWALKS AS NEEDED. BETTER KNOWN AS FAIRMONT PLACE ADDITION CURB AND SIDEWALK IMPROVEMENTS PHASE IV.

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

The cost of said improvement shall be assessed 50% on the real estate abutting on said improvements for curbs and driveways and 50% upon the City of Fort Wayne, Indiana, and 75% on the real estate abutting on said improvements for sidewalks and yardwalks and 25% upon the City of Fort Wayne, Indiana, if the said City is benefited by said improvement, all according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, and the provisions of all Acts amendatory thereto and supplemental thereof.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of seven (7%) percent per annum as set by the Board of Public Works and shall be financed under Revolving Barrett Law as provided for in the above-entitled acts.

All proceedings and any work done on said improvements, assessment of property, collection of assessments and issuance of Bonds, therefore, shall be as provided for in said above-entitled acts and all amendments thereto and supplemental thereof.

Adopted, this 23 day of February, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST:
Patricia J. Crick, Secretary and Clerk

H1 81-18-7
2-9-94

IMPROVEMENT RESOLUTION #6327-94
TILLMAN ROAD RESURFACING - JOHN ST. TO STELLHORN BRIDGE
CEDIT BOND FUNDED

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

TILLMAN ROAD BY RESURFACING FROM A POINT 450 FEET ± EAST OF JOHN STREET TO A POINT 150 FEET ± EAST TO THE CENTER LINE OF THE STELLHORN BRIDGE

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT BOND) Funds.

Adopted, this 9 day of FEBRUARY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick
Secretary and Clerk

HI 81-16-18
2-2-94

SEWER EASEMENT RESOLUTION NO. 211-94
For the Condemnation of Permanent and Temporary Easement
Blum - Innsbruck Sanitary Sewer Extension

For the condemnation of permanent and temporary easements for the purpose of constructing, operating, controlling and maintaining a sanitary sewer line along and across a portion of the West Half of the Southeast One-Quarter of Section 20 Township 31 North Range 13 East Allen County, Indiana;

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn right-of-way for permanent and temporary easement to facilitate the construction, operation, control and maintenance of a sanitary sewer line along and across the following described real properties in the West Half of the Southeast One Quarter of Section 20 Township 31 North Range 13 East, Allen County, Indiana; more particularly described as follows:

I. Real estate now and formerly owned by Michael A. and Penni M. Tuttle and described by D.R. #90-21999 also being a part of the West Half of the Southeast One-Quarter of Section 20 Township 31 North Range 13 East, Allen County, Indiana.

Permanent Easement

A (20') twenty foot in uniform width easement the centerline of which is described as follows:

Beginning at a point on the East line of said tract of real estate as described by D.R. #96-21999 370± L.F. South of the Northeast corner thereof; thence West parallel with the North line of said tract of real estate 132.00 L.F. to the West line of said tract.

Temporary Easement

A (20') twenty foot in uniform width easement immediately North of, South of, parallel with and adjacent to the aforementioned Permanent Easement I.

II. Real estate now or formerly owned by Walter G. and Dorothy Gick and described by D. R. 469 Pg. 173 also being a part of the West Half of the Southeast One-Quarter of Section 20 Township 31 North, Range 13 East, Allen County, Indiana.

Permanent Easement

A (20') twenty foot in uniform width easement of the centerline of which is described as follows:

HI 81-15-5
2-2-94

JUNK DITCH SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-5

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Forty-Four and 00/100 ($944.00) Dollars** per area for the Junk Ditch Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 74-22-06 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-06 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the Junk Ditch Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the Junk Ditch Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the Junk Ditch Service Area will be set at **Nine Hundred Seventy and 00/100 ($970.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

Beginning at a point on the East line of said tract of real estate as described by D.R. 469 Pg. 173 370± L.F. South of the Northeast corner thereof; thence West parallel with the North line of said tract of real estate 132.00 L.F. to the West line of said tract.

Temporary Easement

A (20') twenty foot in uniform width easement immediately North of, South of parallel with and adjacent to the aforementioned Permanent Easement II.

III. Real estate now or formerly owned by Sylvester R. and Velma E. Fulkerson and described by D.R. 384 Pg. 241 also being a part of the West Half of the Southeast One-Quarter of Section 20 Township 31 North, Range 13 East, Allen County, Indiana.

Permanent Easement

A (20') twenty foot in uniform width easement the centerline of which is described as follows:

Beginning at a point on the East line of said tract of real estate as described by D.R. 384 Pg. 241 370± L.F. South of the Northeast corner thereof; thence West parallel with the North line of said tract of real estate 132.00 L.F. to the West line of said tract.

Temporary Easement

A (20') twenty foot in uniform width easement immediately North of, South of, parallel with and adjacent to the aforementioned Permanent Easement III.

All as shown by a plan of such proposed Condemnation of right-of-way for utility purposes as above described, now on file in the Office of the Board of Public Works of the City of Fort Wayne, Indiana.

The cost of said Condemnation of right-of-way for sewer easement and utility purposes shall be assessed against the property beneficially affected thereby.

The properties which may be injuriously or beneficially affected by such Condemnation of right-of-way for sewer easement and utility purposes is described as follows:

1	Tuttle, Michael A & Penni M.	W 1/2 S660 Ft. of E 264 Ft. W 1/2 SE 1/4 Ex Pt to State Sec. 20
2	Gick, Dorothy	W 1/2 of W 264 Ft. of E 5228 of S 660 Ft. W 1/2 SE 1/4 Ex Pt to State Sec. 20
3	Chaney, Deborah G.	E 1/2 W 264 Ft. of E 528 of S 660 Ft. W 1/2 SE 1/4 Ex Pt to State Sec. 20

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By:
Charles E. Layton, Director

By:
Katherine A. Carrier, Member

By: James Owen
C. James Owen, Member

ATTEST: Thelma A. Marian
Patricia J. Crick, Clerk

4	Fulkerson, Velma E.	W 2A SE 1/4 SW 1/4 SE 1/4 Ex Pt to State Sec. 20
5	Parker, George E.	S 660 Ft. of E 132 Ft. of W 1/2 W 1/2 SE 1/4 Ex Pt to State Sec. 20
6	Mackey, Harry W. & Bernice L.	S 660 ft. of W 132 Ft. of E 924 Ft. W 1/2 Se 1/4 Ex Pt to State Sec. 20
7	Dillman, Douglas L.	E1.50A of W4.50A of S 660 Ft. E 1/2 SE 1/4 Ex W 45 Ft. & Ex Pt to State Sec. 20
8	Tanesky, John D. & Muguette L.	W 1.50 A of S 660 Ft. E 1/2 SE 1/4 Ex Pt to State Sec. 20

All according to the method and manner provided for in an Act of General Assembly of the State of Indiana, as approved in 1980; more particularly I.C. 32-11-1.5-1 to 13; and the provisions of all acts amendatory and supplemental thereof.

All land affected lies within the West Half of the Southeast One Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana.

All temporary easements shall expire one (1) year after the date of adoption.

Adopted this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director

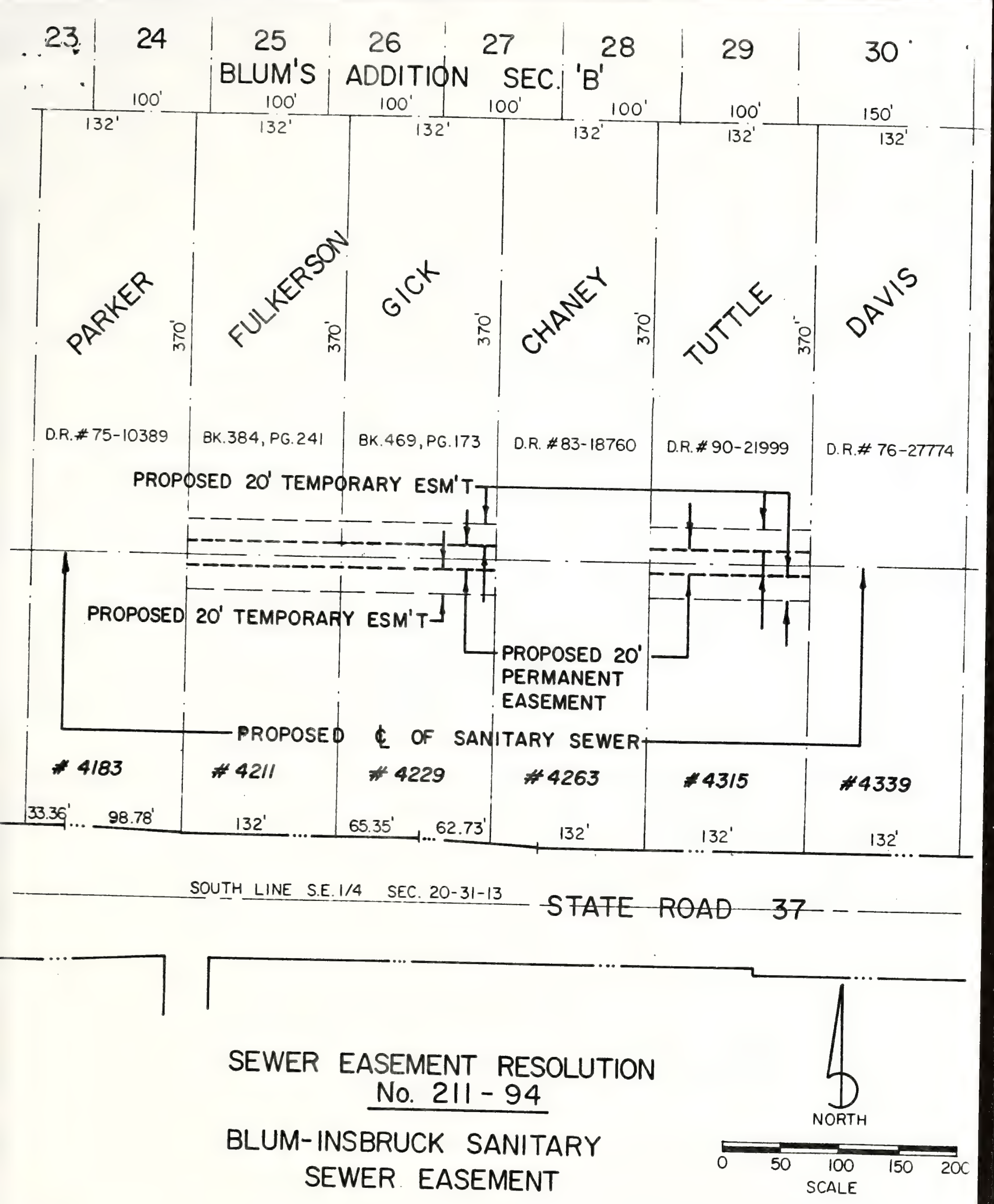
Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST: Thelma A. Morris Clerk Pro tem

Patricia J. Crick



23
24
25
26
27
28
29
30
BLUM'S ADDITION SEC. 'B'
100'
100'
100'
100'
100'
100'
150'
132'
132'
132'
132'
132'
132'
132'
PARKER
FULKERSON
GICK
CHANEY
TUTTLE
DAVIS
370'
370'
370'
370'
370'
D.R.# 75-10389
BK.384, PG.241
BK.469, PG.173
D.R. #83-18760
D.R.# 90-21999
D.R.# 76-27774
PROPOSED 20' TEMPORARY ESM'T
PROPOSED 20' TEMPORARY ESM'T
PROPOSED 20' PERMANENT EASEMENT
PROPOSED ℄ OF SANITARY SEWER
# 4183
# 4211
# 4229
# 4263
# 4315
# 4339
33.36'
98.78'
132'
65.35'
62.73'
132'
132'
132'
SOUTH LINE S.E. 1/4 SEC. 20-31-13
~~STATE ROAD 37~~
NORTH
0
50
100
150
200
SCALE

SEWER EASEMENT RESOLUTION
No. 211 - 94

BLUM-INSBRUCK SANITARY
SEWER EASEMENT

HI 81-15-4
2-2-94

SPY RUN SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-4

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Forty-Four and 00/100 ($944.00) Dollars** per area for the Spy Run Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 74-22-05 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-05 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the Spy Run Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the Spy Run Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the Spy Run Service Area will be set at **Nine Hundred Seventy and 00/100 ($970.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

M1 81-16-15
2-2-94

IMPROVEMENT RESOLUTION #6326-94
HAZELWOOD/BOLTON/EDGEWATER IMPROVEMENT
(CEDIT FUNDED)

RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE, INDIANA,

That it is deemed necessary to improve:

1) HAZELWOOD AVENUE FROM BEACON STREET TO 410 FT. EAST - STREET RECONSTRUCTION

2) 2609 BOLTON DRIVE - CURB RECONSTRUCTION

3) 813 - 815 EDGEWATER AVENUE - SIDEWALK RECONSTRUCTION

All in accordance with the profile, details, drawings, and specifications on file in the office of the Department of Public Works of said City; and such improvement is now ordered.

NOTE: Contractor agrees that the goal for qualified Emerging Business Enterprises, hereinafter sometimes referred to as "E.B.E.'s" as subcontractors on this project is 10 % of the contract amount.

It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne and that no special benefits will accrue to any property owner adjoining said improvement or otherwise assessable under said improvement. The cost of said improvement shall be paid 100% by the City of Fort Wayne County Economic Development Income Tax (CEDIT) Funds.

Adopted, this 2nd day of February, 19 94 .

BOARD OF PUBLIC WORKS

Charles E. Layton
Director of Public Works

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Thelma A. Morris, Clerk Pro tem
Patricia J. Crick
Secretary and Clerk

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By:

Charles E. Layton, Director

By:

Katherine A. Carrier, Member

By: James Owen

C. James Owen, Member

ATTEST: Thelma A. Murray, [illegible]

Patricia J. Crick, Clerk

H1 81-15-8
2-2-94

EMERGENCY RESOLUTION NUMBER 81-14-8

Board of Public Works
City of Fort Wayne, Indiana

WHEREAS, The City of Fort Wayne has experienced severe winter weather for the past several weeks, with sub-zero temperatures followed by rapid warming and rainfall; and

WHEREAS, These weather conditions have caused severe deterioration of City streets, creating potholes which are dangerous to vehicular traffic; and

WHEREAS, The City of Fort Wayne Street Department is doing a commendable job of clearing ice and snow, and of filling potholes, but the amount of weather-related damage has created needs greater than the Street Department can meet immediately;

NOW, THEREFORE, the Board of Public Works of the City of Fort Wayne, Indiana, hereby declares than an **emergency** exists for repair of City streets, and authorizes the City Purchasing Department to solicit quotes from contractors for the application of approximately 500 tons of cold mixed bituminous mixture for patching, and orders the Purchasing Department to issue an **Emergency Purchase Order** to the contractor chosen for said pothole repair.

Approved this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Chairman

James Owen
C. James Owen, Member

Katherine Carrier, Member

ATTEST:

Thelma A. Morris Deputy
Patricia J. Crick, Clerk

H1 81-15-2
2-2-94

ST. MARY'S SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-2

WHEREAS, The Board of Public Works established an area connection fee of **Eight Hundred Fifty-Six and 00/100 ($856.00) Dollars** per area for the St. Mary's Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 77-58-26 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 77-58-26 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the St. Mary's Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the St. Mary's Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the St. Mary's Service Area will be set at **Eight Hundred Seventy-Nine and 00/100 ($879.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By: ______________________

Charles E. Layton, Director

By: ______________________

Katherine A. Carrier, Member

By: James Owen

C. James Owen, Member

ATTEST: Thelma A. Marine, Pro tem

Patricia J. Crick, Clerk

HI 81-15-3
2-2-94

ST. JOE SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-3

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Forty-Four and 00/100 ($944.00) Dollars** per area for the St. Joe Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 74-22-04 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-04 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the St. Joe Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the St. Joe Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the St. Joe Service Area will be set at **Nine Hundred Seventy and 00/100 ($970.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By:
Charles E. Layton, Director

By:
Katherine A. Carrier, Member

By: James Owen
C. James Owen, Member

ATTEST: Thelma A. Morris, Pro tem
Patricia J. Crick, Clerk

H1 81-8-9
1-19-94

RESOLUTION 81-8-9

WHEREAS, The City Utilities of Fort Wayne desires to enter into an agreement with the Indiana Department of Transportation, and;

WHEREAS, The State requires the agreement to be signed by either the President of the Utility or by the Chairman of the Utility Board, and attested by the Secretary of the Corporation or of the Utility Board; and

THEREFORE, The Board of Public Works does hereby grant authority to Charles E. Layton, Director of the Board of Public Works to act as the Chairman of the Utility Board, and the Board of Public Works also grants to Patricia J. Crick, Clerk to the Board of Public Works, the authority to act as Secretary of the Utility Board.

Approved and adopted this 19 day of JANUARY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director
Board of Public Works

Katherine A. Carrier
Katherine A. Carrier, Member
Board of Public Works

C. James Owen, Member
Board of Public Works

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

H1 81-15-7
2-2-94

SOUTHWEST SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-7

WHEREAS, The Board of Public Works established an area connection fee of **One Thousand Two Hundred Three and 00/100 ($1,203.00) Dollars** per area for the Southwest Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 77-166-4 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 77-166-4 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the Southwest Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the Southwest Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the Southwest Service Area will be set at **One Thousand Two Hundred Thirty-Six and 00/100 ($1,236.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By:
Charles E. Layton, Director

By:
Katherine A. Carrier, Member

By: James Owen
C. James Owen, Member

ATTEST: Thelma A. Harris, Pro tem
Patricia J. Crick, Clerk

ST. JOE SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-3

WHEREAS, The Board of Public Works established an area connection fee of Nine **Hundred Forty-Four and 00/100 ($944.00) Dollars** per area for the St. Joe Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 74-22-04 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 74-22-04 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the St. Joe Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:

1. The area connection fee for the St. Joe Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.
2. The area connection fees for the St. Joe Service Area will be set at Nine **Hundred Seventy and 00/100 ($970.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

H1 81-3-9
1-12-44

RESOLUTION 81-3-9

WHEREAS, The City Utilities of Fort Wayne desires to enter into an agreement with the Indiana Department of Transportation, and;

WHEREAS, The State requires the agreement to be signed by either the President of the Utility or by the Chairman of the Utility Board, and attested by the Secretary of the Corporation or of the Utility Board; and

THEREFORE, The Board of Public Works does hereby grant authority to Charles E. Layton, Director of the Board of Public Works to act as the Chairman of the Utility Board, and the Board of Public Works also grants to Patricia J. Crick, Clerk to the Board of Public Works, the authority to act as Secretary of the Utility Board.

Approved and adopted this 12 day of JANUARY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director
Board of Public Works

Katherine A. Carrier, Member
Board of Public Works

C. James Owen, Member
Board of Public Works

ATTEST: Patricia J Crick
Patricia J. Crick, Clerk
Board of Public Works

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By: ______________________

Charles E. Layton, Director

By: ______________________

Katherine A. Carrier, Member

By: James Owen

C. James Owen, Member

ATTEST: Thelma A. Morris, Pro tem

Patricia J. Crick, Clerk

H1 81-15-6
2-2-94

NORTH MAUMEE SERVICE AREA
ADJUSTMENT OF AREA CONNECTION FEES
BASED UPON CONSUMER PRICE INDEX
RESOLUTION NO. 81-14-6

WHEREAS, The Board of Public Works established an area connection fee of **Nine Hundred Seventy-Three and 00/100 ($973.00) Dollars** per area for the North Maumee Service Area by adopting Resolution No. 80-112-3 on February 10, 1993, and,

WHEREAS, Resolution No. 73-22-02 provided for adjustment of the area connection fees to reflect inflationary increases; and,

WHEREAS, Resolution No. 73-22-02 also provided that said adjustment shall be based upon the increase of the Consumer Price Index as published by the Department of Labor, for the previous year; and,

WHEREAS, this adjustment shall be made by the 15th of February of the calendar year said adjustment will be made; and,

WHEREAS, The Department of Labor publishes two monthly Consumer Price Indexes for all items; one based upon Urban Wage Earners, and one based upon all Urban Consumers; and,

WHEREAS, the inflation rate of a given year is based upon the percentage increase of the December-to-December value of the All Urban Consumer Price Index; and,

WHEREAS, the 1992 value of the Consumer Price Index for all Urban Consumers was 425.3; and,

WHEREAS, the 1993 value of the Consumer Price Index for all Urban Consumers was 436.8; and,

WHEREAS, the Board of Public Works has previously adjusted the Area Connection Fees for the North Maumee Service Area for Inflation.

NOW, THEREFORE, in consideration of the foregoing statements be it **RESOLVED BY THE BOARD OF PUBLIC WORKS, THAT:**

1. The area connection fee for the North Maumee Service Area will be adjusted for inflation from January, 1993 through December, 1993 using the Consumer Price Index for all Urban Consumers.

2. The area connection fees for the North Maumee Service Area will be set at **Nine Hundred Ninety-Nine and 00/100 ($999.00) Dollars** per net acre from February 15, 1994 to February 14, 1995.

ADOPTED this 2nd day of February, 1994.

BOARD OF PUBLIC WORKS

By:
Charles E. Layton, Director

By:
Katherine A. Carrier, Member

By: James Owen
C. James Owen, Member

ATTEST: Thelma A. Morris Pro tem
Patricia J. Crick, Clerk

HI 81-110-14
7-20-94

RESOLUTION 523-94

QUEEN/MANFORD - LOGAN DRAINAGE IMPROVEMENT

RESOLVED by the Board of Public Works of the City of Fort Wayne, Indiana, that:

The construction/improvement of storm drainage intended and adapted for use by property owner(s) whose property abuts thereon and the same is hereby ordered on and along the following described areas:

Part I: QUEEN/MANFORD

Beginning at an existing manhole located 2± LF North and 2± LF East of the centerline intersection of McKee and Queen St. thence South 253± LF to a proposed manhole thence West 346± LF to a proposed manhole and the termination of Part I.

Part II: LOGAN AVE.

Beginning at an existing inlet located 13± L.F. south of the centerline of Logan Ave. and 22± L.F. west of the centerline of Redwood Ave. Thence West 428± L.F. to a proposed inlet and the terminus of the sewer.

Said storm sewer shall be 15" & 12" in diameter.

Said storm drainage improvement with all appurtenances shall be constructed in accordance with the City of Fort Wayne Sewer Utility Standards and Specifications.

The cost of said drainage improvement shall be paid by Community & Economic Development funds of the City of Fort Wayne.

ADOPTED this 20 day of JULY, 1994.

BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk, Director

____

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

dh\resoluti\queen

MI 81-1-7
1-5-94

BOARD OF PUBLIC WORKS

RESOLUTION 81-1-7

RESOLUTION CONCERNING MAXIMUM BARRETT LAW ASSESSMENT

WHEREAS, the Barrett Law Assessment Office shall annually, in January, establish the maximum Barrett Law Assessment for sewer projects.

WHEREAS, inflation has raised costs a total of 2.9 percent based on the 1993 revised Consumer Price Index for all consumers as of November 30, 1993.

NOW THEREFORE, be it resolved that the maximum Barrett Law Assessment is hereby increased to $5,044.00.

Adopted this 5 day of JANUARY, 1994.

BOARD OF PUBLIC WORKS

BY:
Charles E. Layton
Director of Public Works

Kath A Carri
Katherine A. Carrier
Board Member

James Owen
C. James Owen
Board Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

H1 81-3-9
1-12-94

RESOLUTION 81-3-9

WHEREAS, The City Utilities of Fort Wayne desires to enter into an agreement with the Indiana Department of Transportation, and;

WHEREAS, The State requires the agreement to be signed by either the President of the Utility or by the Chairman of the Utility Board, and attested by the Secretary of the Corporation or of the Utility Board; and

THEREFORE, The Board of Public Works does hereby grant authority to Charles E. Layton, Director of the Board of Public Works to act as the Chairman of the Utility Board, and the Board of Public Works also grants to Patricia J. Crick, Clerk to the Board of Public Works, the authority to act as Secretary of the Utility Board.

Approved and adopted this 12 day of JANUARY, 1994.

BOARD OF PUBLIC WORKS

Charles E. Layton, Director
Board of Public Works

Katherine A. Carrier, Member
Board of Public Works

C. James Owen, Member
Board of Public Works

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk
Board of Public Works

January 5, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, Walter Jordan & Charles Bailey, Contract Compliance, Mike Thornson & Pat Callahan, WPC Eng., Mary Jane Slaten, PIO, Steve Martin, C. U. Acctg., David Ross, City Eng., Tim Warren, Water Resources, Terry Atherton, Utility Administration.

1. **RECEIVE BIDS** - Resolution 6323-93, Right Turn Lane on Illinois Road at West Jefferson Blvd. (CEDIT Funded)

Brooks Const.	48,262.00
Dehner Const.	65,984.00
Moellering Const.	49,880.20
Eng. Est.	$55,055.90

Street Engineering to tabulate and report

2. Approval of the Board Minutes of December 29, 1993;
Jim Owen moved approval of the Board Minutes of December 29, 1993. Motion carried. Minutes approved as distributed.

3. Sewer Contract 513-1993 between the City and Industrial Piping and Engineering Corporation for Chlorine Unloading Pipe Replacement at W.P.C. Plant in the amount of $88,200.00 (SEWER UTILITY);
Katherine Carrier moved approval of Sewer Contract 513-1993 between the City and Industrial Piping and Engineering in the amount of $88,200.00. Motion carried. Notice to Proceed to be sent.

4. Contract 6321-93, Pettit Avenue Total Street Reconstruction - Bowser to South Anthony Blvd. between the City and Brooks Construction Company in the amount of $283,620.50 (3R) (CEDIT FUNDED);
Jim Owen moved approval of Contract 6321-93 between the City and Brooks Construction Company in the amount $283,620.50. Motion carried. Contract approved subject to Councilmanic approval.

5. Sewer Reimbursement to Leininger Excavating, Inc., 2501 W. Wallen Road in the amount of $5,259.36 collected from Ambassador Builders, Inc. under Sewer Agreement 89-S-06;
Katherine Carrier moved approval of Sewer Reimbursement to Leininger Excavating, Inc. in the amount of $5,259.36 collected from Ambassador Builders, Inc. under Sewer Agreement 89-S-06. Motion carried. Sewer Reimbursement forwarded to New Water/Sewer Permits for their handling.

6. Received request for Waiver of Barricade Fees for March for Jesus Parade to be held on Saturday, June 25, 1994 beginning at 11:00 A.M. Parade will begin at Berry Street and terminate at the City/County Parking Lot;
Katherine Carrier moved approval of request for Waiver of Barricade Fees for March for Jesus Parade to be held on Saturday, June 25, 1994 beginning at 11:00 A.M. Motion carried. Copy on file in vault.

7. RESOLUTION CONCERNING MAXIMUM BARRETT LAW ASSESSMENT for Sewer Assessments;
Katherine Carrier moved approval of Resolution Concerning Maximum Barrett Law Assessment for Sewer Assessments. Motion carried. Copy herein incorporated. The maximum Barrett Law Assessment is hereby increased to $5,044.00.

8. Received recommendation from WPC Engineering to accept Contract 93-S-35, River Bend Bluff Section IV Sanitary Sewer as an integral part of the City's sanitary sewer system;
Katherine Carrier moved to accept Contract 93-S-35 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to Kurtz Excavating.

9. Claims approval in the amount of $2,024,853.07;
Katherine Carrier moved approval of claims in the amount of $2,024,953.07. Motion carried. Claims forwarded to General Accounting for their handling.

10. Taxi Cab License Renewal Gahe L. Giessler
Jim Owen moved approval of Taxi Cab License Renewal Gahe L. Giessler. Motion carried. License to be renewed.

11. Taxi Cab License Applicant Dennis F. Miller;
Jim Owen moved approval of Taxi Cab License Applicant Dennis F. Miller. Motion carried. License to be issued.

12. Old Business;

    I. Katherine Carrier inquired about the schedule for budget approval for City Utilities.

    Terry Atherton, Utility Administration, stated that the staff has so far reduced the 1994 projected budget by a $400,000 deficit.

    Terry Atherton also stated that the following three items are points that the Board might consider.

    a. The possibility of using CEDIT Bond money to pay for water main improvements as part of street projects and then by a resolution through the Board set up a repayment plan when funds become available. This is being referred to legal counsel.

    b. Reduce 1994 budget by reducing cut restorations.

    c. The Board's option to move water share of administrative costs to sewer utility.

The Board will vote on the City Utilities budget next week.

II. Katherine Carrier stated that she would like for the Board to review the budget for Civil City Engineering.

13. New Business;

Jim Owen inquired about how the governing board on stormwater management will be constituted.

Terry Atherton, Utility Administration, stated that at the present time the members of the Board of Public Works are now the governing board on stormwater management. This is a separate Board whose operational and legal standing are being reviewed by staff attorneys.

Meeting adjourned at 9:45 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST
Patricia J. Crick, Clerk

January 12, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; David Ross & Ann Smith, City Eng.; Charles Bailey & Walter Jordan, Contract Compliance; R. David Boyer, BOW Atty.; Tim Warren, Water Resources; Pat Callahan, WPC Eng., Rick Orr, ROW; Terry Atherton & Deb Farrell, Utility Administration; and Mary Jane Slaten, PIO;

1. AWARD: Resolution 926-1993, Hacienda Village Sanitary Sewer, Phase II, Spanish Trail Water Main Extension to All Star Construction & Excavating in the amount of $108,693.00 (sanitary sewer extension only). Hacienda Village has chosen not to invest in the water extension (SEWER UTILITY);
   Jim Owen moved approval of Award of Resolution 926-1993 to All Star Construction & Excavating in the amount of $108,693.00 (sanitary sewer extension only). Motion carried. Notice of Award to be sent.

2. Approval of Board Minutes of January 5, 1994;
   Jim Owen moved approval of Board Minutes of January 5, 1994. Motion carried. Minutes approved as distributed.

3. Grant of Utility Easement Sanitary Sewer North Terminal Area for Fort Wayne-Allen County Airport Authority;
   Katherine Carrier moved approval of Grant of Utility Easement Sanitary Sewer North Terminal Area for Fort Wayne-Allen County Airport Authority. Motion carried. Copy on file.

4. Received recommendation from WPC Engineering to accept the following contracts:

   Contract 92-S-27, 1525 Reckeweg Road Sanitary Sewer
   Contract 93-S-32, Woodland Lake Section VIII Sanitary Sewer
   Contract 93-S-42, Autumn Ridge Section VI Sanitary Sewer
   Contract 93-S-58, Ardmore Sanitary Sewer
   Katherine Carrier moved approval of recommendation from WPC Engineering to accept the above contracts. Motion carried. Acceptance letters to be sent to the respective contractors.

5. Received recommendation from Street Engineering to accept the streets in Westwood North Section III for maintenance;
   Jim Owen moved approval of recommendation from Street Engineering to accept the streets in Westwood North Section III for maintenance. Motion carried. Acceptance letter to be sent to W. L. Anderson.

6. Sewer Contract 93-S-48 between David B. Dean and the Fort Wayne Water Pollution Control Utility to serve Moore Drive Sanitary Extension (PRIVATELY FUNDED);
   Katherine Carrier moved approval of Sewer Contract 93-S-48 between David B. Dean and the Fort Water Pollution Control Utility. Motion carried. Copy on file.

7. Change Order #1 received from T & G Incorporated for Contract 507-93 for Third & Franklin Street substituting stonesand for stone. This is a 0.00 change order;
   Katherine Carrier moved approval of Change Order #1 received from T & G Incorporation for Contract 507-93. Motion carried. Copy on file.

8. E.B.E. Rider between the City and Industrial Piping & Engineering Corporation for Chlorine Unloading Pipe Replacement. This was not attached to the contract;
   Katherine Carrier moved approval of E.B.E. Rider between the City and Industrial Piping & Engineering Corporation for Chlorine Unloading Pipe Replacement. Motion carried. Copy on file.

9. **RESOLUTION** granting authority to Charles E. Layton as Director of Board of Public Works to act as Chairman of the Utility Board and Patricia J. Crick, Clerk to the Board of Public Works to act as Secretary of the Utility Board for the signing of the agreement listed as Item #10;

Jim Owen moved approval of Resolution granting authority to Charles E. Layton and Patricia J. Crick to act as Chairman and Secretary respectively of the Utility Board for the signing of the agreement listed as Item #10. Motion carried. Copy on file.

10. Preliminary Engineering Agreement between the Indiana Department of Transportation and the City of Fort Wayne Water and Sewer Departments for the S.R. 469 project from St. Joe Road to I-69. This is to reimburse the Utilities for all preliminary engineering costs associated for the relocation of sewer and water lines;

Tim Warren, Water Resources, stated that this preliminary agreement cost thereof is $86,0000. The Water Utility preliminary cost is $5,000 and the Sewer Utility preliminary cost is $6,000. Butler, Fairman and Seufert, Inc., the Consulting Engineer, submitted their cost not to exceed $75,000. All costs will be reimbursed by the state. If the costs exceed $86,000 the state will also pick up the excessive amount. **Jim Owen moved approval of Preliminary Engineering Agreement between the Indiana Department of Transportation and the City of Fort Wayne Water and Sewer Departments for the S. R. 469 project from St. Joe Road to I-69. Motion carried. Copy on file in vault.**

11. Revolving Barrett Law claims approval in the amount of $20,626.43. **Katherine Carrier moved approval of the Revolving Barrett Law claims in the amount of $20,626.43. Motion carried. Claims forwarded to Barrett Law Office for payment.**

12. Claims approval in the amount of $35,743,670.19;

Katherine Carrier inquired about investment purchases in the amount of $15,000,000 and $11,000,000. The Department of Finance is to respond. **Katherine Carrier moved approval of Claims in the amount of $35,743,670.19. Motion carried. Claims approved.**

13. Vote on City Utilities Budget;

Jim Owen stated that he would accept the City Utilities Garage and Stormwater budgets as printed. Jim Owen then asked for discussion on Water Works.

Terry Atherton, Utility Administration stated that overall he felt comfortable with the budget presented for Water.

Jim Owen questioned if we could defer some expenditures for street repairs with CEDIT money coming in.

Terry Atherton stated as of January 11, 1994 the Mayor's feeling was to proceed with water main replacement as part of street projects. The Mayor has asked for pros and cons and the staff is to respond.

Jim Owen went on record to say that he thought we should pursue the course of administratively using CEDIT bond money to pay for water main improvements as part of the street projects and transfer funds to reimburse at a later day now that the City has legal standing and we should pursue working with Civil City Engineering to defer costs.

David Ross, City Engineering, stated that on the streets that have been designated as major carriers, such as Coldwater Road and State Blvd., the staff does not want to defer proposed improvements. He stated they do not want to make improvements knowing the utility problems. He stated the staff prefers to pay out the money for underground work now rather than having streets cut into a later date. He stated that the staff would work with Utilities on this.

Katherine Carrier stated she was comfortable with the budget presented except for water. She then stated that she would like periodic reports of the financial status of the Utilities.

Jim Owen asked if it was a sure thing that there would be a water rate increase this year and Terry Atherton stated that it was 100% for sure.

Katherine Carrier inquired if the contract for retaining Municipal Consultants who is the consultant on bond issue through the Department of Finance is approved by the Board of Works.

Jim Owen moved to approve an amendment to the budget stating the following:

> WHEREAS, the Water Utility has operated in the negative revenue position for two consecutive budget years;
>
> WE hereby authorize and enjoin the Water Utility Superintendent to seek a water rate increase during budget year 1994 and further to report on the status of the rate increase request at the Board's second meeting in April.

David Boyer stated legally there was nothing wrong with the motion.

Motion carried. Amendment to budget approved.

Terry Atherton then addressed the sewer budget. Terry stated that he felt there was going to be a rate reduction on the sewer side. Municipal Consultants is finishing the process of service study on the sewer which hasn't been done since 1985. Terry also stated that Municipal Consultants would appear before the Board at the Board's request, or at a public forum.

Jim Owen stated that he would like to revisit the sewer rate issue in late February.

Terry Atherton stated that the staff is in the 4th stage of an utility finance budget for stormwater which will generate a rate change around the end of July or sometime in August. Stormwater is going to be a utility on its own and separated from sanitary sewers.

Jim Owen asked if the City Utility budget is the same as printed before or if the staff has made any changes.

Terry Atherton stated it was the same and asked for concrete direction from the Board as to the changes.

Charles Layton stated that the amount for curb cuts was $300,000 and he would let that stand.

Terry Atherton stated that he estimated that within 3 years because of automation, etc., the staff can be reduced.
Jim Owen moved to table the vote on the City Utilities Budget until the Board is presented with a clean document that indicates the proposed changes. Motion carried. A clean document is to be presented and the Board is to vote on a revised budget next week. A signature page is to be added.

14. Taxi Cab License Renewal for Michael W. Burns;
Jim Owen moved approval of Taxi Cab License Renewal for Michael W. Burns. Motion carried. License to be renewed.

15. Taxi Cab License Applicant Todd Kilgore;
Jim Owen moved approval of Taxi Cab License Applicant Todd Kilgore. Motion carried. License to be issued.

16. Old Business: None.

17. New Business;

Jim Owen moved to make a resolution that the Board of Works encourage Civil City Engineering to work on CEDIT funding plans in 1994 to assist the Water Utility to be as economical as feasable concerning expenditures on understreet repairs to complement CEDIT projects in 1994. Motion carried.

Katherine Carrier inquired about the role of the Board in the proposed changes in the garbage fee in this community.

David Boyer, BOW Atty., stated that the Board will be participating in drafting the specifications of the garbage contract.

The Board is to be furnished a copy of the ordinance.

Meeting adjourned at 10:30 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

January 19, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, BOW; David Ross & Ann Smith, City Engineering; Terry Atherton & Deb Farrell, Utility Administration; Charles Bailey, Contract Compliance; Rick Orr, ROW; Tom Pallone, Mike Thornson and Pat Callahan, WPC Engineering; and Mary Jane Slaten, Public Information Office.

1. AWARD: Resolution 6323-93, Right Turn Lane on Illinois Road at West Jefferson Blvd. to Brooks Construction Company in the amount of $48,262.00 (CEDIT BOND);
Jim Owen moved approval of Award for Resolution 6323-93 to Brooks Construction Company in the amount of $48,262.00. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

2. AWARD: Construction for Women's Restroom for Water Maintenance and Service to Hamilton Hunter Builders, Inc. in the amount of $21,934.00 (WATER UTILITY);
Jim Owen moved approval of Award for Women's Restroom for Water Maintenance and Service to Hamilton Hunter Builders, Inc. in the amount of $21,934.00. Motion carried. Notice of Award sent. WPC Maintenance to prepare contracts.

3. Approval of Board Minutes of January 12, 1994;
Jim Owen moved approval of Board Minutes of January 12, 1994 as amended. Motion carried. Board Minutes approved as amended.

4. EMA Contract for Consulting Services for the Filtration Plant Laboratory Information Management System Implementation. This is the next phase of a multi-year automation plan that had prior approval from the Board. Cost of services not to exceed $55,250;
Jim Owen moved approval of EMA Contract for Consulting Services for the Filtration Plant Laboratory Information Management System Implementation. Motion carried. Copy on file in vault.

5. Standard Utility Reimbursement Agreement between the Indiana Department of Transportation and the Fort Wayne Water Utility for relocation of water main due to the SR 469 project from St. Joe Road to I-69;
Jim Owen moved approval of Standard Utility Reimbursement Agreement between the Indiana Department of Transportation and the Fort Wayne Water Utility for relocation of water main due to the SR 469 project from St. Joe Road to I-69. Motion carried. Copy on file in vault.

6. Standard Form of Agreement between Butler Fairman and Seufert, Inc. and the Water Utility for easement acquisition for the relocation of water mains due to the SR 469 project from St. Joe Road to I-69, including all ramps for interchange at Dupont Road (WATER UTILITY);
Jim Owen moved approval of Standard Form of Agreement between Butler Fairman and Seufert, Inc. and the Water Utility for easement acquisition for the relocation of water mains due to the SR 469 project from St. Joe Road to I-69, including all ramps for interchange at Dupont Road. Motion carried. Copy on file in vault.

7. Standard Form of Agreement between Butler Fairman and Seufert, Inc. and the Water Pollution Control Utility for professional engineering services for the relocation of sewer mains due to the SR 469 project from St. Joe Road to I-69 (SEWER UTILITY);
Katherine Carrier moved approval of Standard Form of Agreement between Butler Fairman and Seufert, Inc. and the Water Pollution Control Utility for professional engineering services for the relocation of sewer mains due to the SR 469 project from St. Joe Road to I-69. Motion carried. Copy on file in vault.

8. Standard Utility Reimbursement Agreement between the Indiana Department of Transportation and the Fort Wayne Water Pollution Control Utility for relocation of sewer main due to the SR 469 project from St. Joe Road to I-69 (SEWER UTILITY);

Katherine Carrier moved approval of Standard Utility Reimbursement Agreement between the Indiana Department of Transportation and the Fort Wayne Water Pollution Control Utility for relocation of sewer main due to the SR 469 project from St. Joe Road to I-69. Motion carried. Copy on file in vault.

9. RESOLUTION granting authority to Charles E. Layton as Director of Board of Public Works to act as Chairman of the Utility Board and Patricia J. Crick, Clerk to the Board of Public Works to act as Secretary of the Utility Board for the signing of agreements between the City of Fort Wayne and the State of Indiana;
   Jim Owen moved approval of Resolution granting authority to Charles E. Layton as Director of Board of Public Works to act as Chairman of the Utility Board and Patricia J. Crick, Clerk to the Board of Public Works to act as Secretary of the Utility Board for the signing of agreements between the City of Fort Wayne and the State of Indiana. Motion carried. Copy herein incorporated.

10. Received request for Waiver of Barricade Fees from Bishop Luers High School for Bishop Luers Swing Choir event to be held on February 26, 1994 from 5 A.M. - 11:00 P.M. on Noll Avenue between Doan and Paulding Road;
    Katherine Carrier moved approval of request for Waiver of Barricade Fees from Bishop Luers High School for Bishop Luers Swing Choir event to be held on February 26, 1994 from 5 A.M. - 11:00 P.M. on Noll Avenue between Doan and Paulding Road. Motion carried. Fees to be waived.

11. Change Order 1 received from Key Concrete Corp. for Resolution 6314-93, Huestis Avenue - Broadway to Thompson decreasing the contract price by $1,311.64. Original contract price was $63,302.50;
    Jim Owen moved approval of Change Order 1 received from Key Concrete Corp. for Resolution 6314-93 decreasing the contract price by $1,311.64. Motion carried. Copy on file.

12. Received recommendation from WPC Engineering to accept Resolution 499-1993, Bohde Grove Sanitary Sewer Rehabilitation as an integral part of the City's sanitary sewer system;
    Jim Owen moved approval of recommendation from WPC Engineering to accept Resolution 499-1993, Bohde Grove Sanitary Sewer Rehabilitation as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter sent to Land, Inc.

13. Authorization for Final Payment received from Kreager Bros. Excavating, Inc. in the amount of $10,218.35 for Resolution 494-92, Lawrence Drain Project Phase III. Escrow Agent is NBD Bank;
    Jim Owen moved approval of Authorization for Final Payment received from Kreager Bros. Excavating, Inc. in the amount of $10,218.35 for Resolution 494-92. Motion carried. Authorization sent to NBD Bank, Escrow Agent.

14. Recommendation from WPC Engineering regarding petition for sanitary sewers in Aldene Manor. Their recommendation is that the Board of Works proceed with this as a Barrett Law Revolving Fund Project subject to available utility funds;
    Katherine Carrier moved to table recommendation from WPC Engineering regarding petition for sanitary sewers in Aldene Manor for one week. Motion carried. Recommendation tabled for one week.

15. Vote on City Utilities Budget;

    Jim Owen inquired if the changes recommended at last Board meeting had been made by the City Utilities staff. Deb Farrell, Utility Administration, confirmed that all recommended changes had been made.
    Jim Owen moved approval of 1994 City Utilities Budget as revised. Charles Layton and Jim Owen voted "aye" and Katherine Carrier opposed. Motion carried. Budget approved.

16. Claims approval in the amount of $8,183,059.11.
    Katherine Carrier moved approval of claims in the amount of $8,193,059.11. Motion carried. Claims forwarded to Civil City Accounting.

17. Taxi Cab License Applicant Virgil Griffin;
    Jim Owen moved approval of Taxi Cab License Applicant Virgil Griffin. Motion carried. License to be issued.

18. Old Business;

Jim Owen inquired about the Board's responsibility with utility bond issues and issuance of debts.

Terry Atherton, Utility Administration, apprised the Board of the following: debt service allocation is included within the Utility Budget for each Utility and bond issue. The Controller is the Chief Financial Officer of the Utility by statute and the Board of Works is the Executive Board. The Board's responsibility in operation of the Utilities is to provide the rules and regulations for the operations and to recommend rates to be adopted by Council and to pass a Utility Budget.

19. New Business;

David Ross, City Engineer, apprised the Board of the following: Beam Longest & Neff was given an award to provide engineering services for the resurfacing and rehabilitation of Washington from Clinton to Glasgow and Jefferson/Maumee from Lafayette to Fairview. Beam Longest & Neff proposed services greater than our staff thought was necessary for this project. The staff negotiated with Beam Longest & Neff for more reasonable services. The estimated project cost is $1.2 million dollars and Beam Longest & Neff's proposed fee is $55,400, less than 5% of the construction cost. Their standard agreement will be presented for the Board's consideration next week.

Meeting adjourned at 9:40 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST

Patricia J. Crick, Clerk

January 26, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, BOW; Don Hanley, Tom Pallone, Mike Thornson, Al Frisinger, WPC Engineering; Charles Bailey & Walter Jordan, Contract Compliance; Linda Powell, Staff Attorney; Sharon Parks, Fire Department; Neil Wisler, WPC Plant; Tim Warren, Water Resources; Ann Smith & David Ross, City Engineering; Terry Atherton, Utility Administration; Tom Manny, Traffic Engineering; Wayne O'Brien & Nancy Townsend, C&ED; Rick Orr, Right-of-Way; and Mary Jane Slaton, Public Information Office.

1. RECEIVE BIDS: Asbestos Removal Project for the WPC Plant (SEWER REVENUE);

Environmental Technology, Inc.	$24,473.00
Universal Environmental	55,296.00
Star Environmental, Inc.	53,900.00
U. S. Abatement, Inc.	42,105.00
Specialty Systems of Indiana	54,300.00
Environmental Assurance Co., Inc.	32,493.00
Clean Air System	28,663.00
Air Management Techniques	26,820.00
Abatement Management Group, Inc.	41,260.00
Eng. Est.	50,000.00

Micro Air, Inc., Consultant, and WPC Plant Superintendent to tabulate and report.

2. RECEIVE BIDS: Construction of Fire Station #13, Clinton Street at Red Haw Drive (FIRE BUDGET);

	Base	Alt. I	Alt. II
R. E. Crosby & Son, Inc.	978,800	44,500	34,200
Hawk Construction	928,959	no bid	33,985
Kinder Construction	942,000	no bid	33,500
Schenkel & Sons, Inc.	957,179	no bid	34,511
W. A. Sheets & Sons, Inc.	959,000	44,500	33,500
Simerman Const.	962,000	44,000	34,000
Weigand Const. Co., Inc.	913,000	40,000	34,000

Martin Riley Mock, Architects/Consultants, and Fire Chief to tabulate and report.

3. AWARD: Tentative Award of Construction Contract for the Fort Wayne Water Pollution Control Plant Division I, Upgrade of Anaerobic Digesters to Indiana Construction Corporation in the amount of $2,823,750.00 (SEWER REVENUE);
Katherine Carrier moved approval of Tentative Award of Construction Contract for the Fort Wayne Water Pollution Control Plant Division I, Upgrade of Anaerobic Digesters to Indiana Construction Corporation in the amount of $2,823,750.00. Motion carried. Notice of Tentative Award sent.

4. AWARD: Tentative Award of Construction Contract for the Fort Wayne Water Pollution Control Plant Division II, Sludge Thickening Facility to Bowen Engineering Corporation in the amount of $2,488,000.00 (SEWER REVENUE);
Jim Owen moved approval of Tentative Award of Construction Contract for the Fort Wayne Water Pollution Control Plant Division II, Sludge Thickening Facility to Bowen Engineering Corporation in the amount of $2,488,000.00. Motion carried. Notice of Tentative Award sent.

5. AWARD: Tentative Award of Construction Engineering for the Fort Wayne Water Pollution Control Plant during the Construction of Division I, Upgrade of the Anaerobic Digesters and Division II, Sludge Thickening Facilities to H.N.T.B. Engineers in the amount of $300,000.00 (SEWER REVENUE);

Jim Owen moved approval of Tentative Award of Construction Engineering for the Fort Wayne Water Pollution Control Plant during the Construction of Division I, Upgrade of the Anaerobic Digesters and Division II, Sludge Thickening Facilities to H.N.T.B. Engineers in the amount of $300,000.00. Motion carried. Notice of Tentative Award sent.

6. AWARD: Tentative Award of Resident Engineering for the Fort Wayne Water Pollution Control Plant during the Construction of Division I, Upgrade of the Anaerobic Digesters and Division II, Sludge Thickening Facilities to Bonar & Associates in the amount of $250,000.00. Also, $40,000 for development of the O & M Manual and to provide training for the combined projects (SEWER REVENUE);
Katherine Carrier moved approval of Tentative Award of Resident Engineering for the Fort Wayne Water Pollution Control Plant during the Construction of Division I, Upgrade of the Anaerobic Digesters and Division II, Sludge Thickening Facilities to Bonar & Associates in the amount of $250,000.00. Also, $40,000 for development of the O & M Manual and to provide training for the combined projects. Motion carried. Notice of Tentative Award sent.

7. Approval of Board Minutes of January 19, 1994;
Katherine Carrier moved approval of Board Minutes of January 19, 1994. Motion carried. Minutes approved as distributed.

8. Contract 6322-93 between the City and Wayne Asphalt & Construction Co., Inc. for Taylor Street Resurfacing Project - Broadway to St. Mary's River Bridge in the amount of $54,472.60 (CEDIT);
Katherine Carrier moved approval of Contract 6322-93 between the City and Wayne Asphalt & Construction Co., Inc. in the amount of $54,472.60. Motion carried. Copy on file. Notice to proceed sent.

9. Contract 6323-93 between the City and Brooks Construction Co. for Right Turn Lane on Illinois Road at West Jefferson Blvd. in the amount of $48,262.00 (CEDIT);
Jim Owen moved approval of Contract 6323-93 between the City and Brooks Construction Co. in the amount of $48,262.00. Motion carried. Copy on file. Notice to proceed sent.

10. Sewer Contract 926-1993 between the City and All Star Construction & Excavating, Inc. for Hacienda Village Sanitary Sewer, Phase II in the amount of $108,693.00 (SEWER UTILITY);
Jim Owen moved approval of Sewer Contract 926-1993 between the City and All Star Construction & Excavating, Inc. in the amount of $108,693.00. Motion carried. Sewer Contract 926-1993 sent to Common Council for Councilmanic approval.

11. Agreement between the City and Beam, Longest & Neff for engineering services to make improvements to Jefferson Blvd./Maumee Avenue from Lafayette to Fairview and Washington Blvd. from Clinton to Glasgow. Improvements will include: resurfacing, restoration, rehabilitation of existing roadway (CEDIT BOND);

David Ross stated that above agreement is in the amount of $55,400 which is less than 5% of the construction cost.
Katherine Carrier moved approval of Agreement between the City and Beam, Longest & Neff for engineering services in the amount of $55,400. Motion carried. Copy on file in vault.

12. Received recommendation from WPC Engineering to accept Contract 91-S-37, Charlotte Avenue Sanitary Sewer and Contract 93-S-25, Autumn Ridge Section V, Phase II Sanitary Sewer as an integral part of the City's sanitary sewer system;
Katherine Carrier moved approval of recommendation from WPC Engineering to accept Contracts 91-S-37 and 93-S-25 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters sent to respective contractors.

13. Received recommendation from WPC Engineering to accept Resolution 494-1992, Lawrence Drain Improvements, Phase III as an integral part of the City's storm sewer system;

Mike Thornson, WPC Engineering, stated that agenda item 13 should read, "received recommendation from WPC Engineering to accept work performed on Resolution 494-992, Lawrence Drain Improvements, Phase III as an integral part of the City's storm sewer system."
Jim Owen moved approval of agenda item #13 as amended. Motion carried. Acceptance letter sent to Kreager Bros. Excavating.

14. RESOLUTION 211-94 for Sewer Easement Permanent and Temporary Blum - Innsbruck Sanitary Sewer Extension;

    Al Frisinger, WPC Engineering, stated that Resolution 211-94 is for the condemnation of permanent and temporary easements for the purpose of constructing a sanitary sewer in connection with the Blum-Innsbruck project. The Board had previously approved the project for Blum-Innsbruck Sanitary Sewer that entails installation of a sanitary sewer across private properties. Eleven properties have been affected and eight have agreed to right of entries and subsequent dedication of permanent easement. Three have not agreed so the staff is proposing this resolution which allows the City to condemn those areas.

    Linda Powell, Staff Attorney, stated that the above resolution is the first step in condemnation of easements and the property owners will have an opportunity to challenge the condemnation. Linda Powell also stated that she will furnish a memo to the Board explaining procedures for condemnation.
    Jim Owen moved to table Resolution 211-94 contingent upon the Staff Attorney providing a memo to Board of Works members explaining condemnation procedures. Motion carried. Resolution 211-94 tabled.

15. RESOLUTION for the vacation of a 10 foot alley in Alerdings Sub-Lot 5 beside the house at 1422 Hugh Street. Petitioner is Dorothy M. Mitchell. This vacation of dedicated alley has been routed through all departments;

    Wayne O'Brien, C&ED, stated that all property owners concerned have agreed to the closing of this alley in Alerdings Sub-Lot 5.
    Jim Owen moved approval of Resolution for the vacation of a 10 foot alley in Alerdings Sub-Lot 5. Motion carried. Copy on file.

16. Received Change Order #1 and Final from Bercot, Inc. for Contract 506-1993, Schomburg Dells decreasing the contract price by $770.50. Original contract price was $41,865.50;
    Katherine Carrier moved approval of Change Order #1 and Final from Bercot, Inc. for Contract 506-1993 decreasing the contract price by $770.50. Motion carried. Copy on file.

17. Received Change Order #2 and Final from Bercot, Inc. for Contract 509-1993, Baldwin Ditch - Phase II increasing the contract price by $2,323.20. Original contract price was $25,493.50;
    Katherine Carrier moved approval of Change Order #2 and Final from Bercot, Inc. for Contract 509-1993 increasing the contract price by $2,323.20. Motion carried. Copy on file.

18. Disclosure of conflict of interest with regard to the Federal HOME Program and the Fort Wayne Neighborhood Housing Partnership, Inc.;

    Nancy Townsend, C&ED, explained that the Federal HOME Program is a housing grant program the City of Fort Wayne receives and administers in part through non-profit organizations, one of which is the Fort Wayne Neighborhood Housing Partnership, Inc. The general rule for the HOME Program is that someone who is on the board, an employee or someone with interest in the corporation is not able to receive benefits from the HOME Program. An employee from the City of Fort Wayne has applied for housing rehabilitation or a home mortgage loan which would be funded in part by the HOME Program fund. Federal regulations state that the City has to have an opinion from a City Attorney. Linda Powell, Staff Attorney has determined this does not violate state or local laws or ordinances. We also must have a public disclosure of this conflict.
    Jim Owen moved to accept this disclosure as part of the Board Minutes. Motion carried. Disclosure accepted.

19. Recommendation from WPC Engineering regarding petition for sanitary sewers in Aldene Manor. Recommendation is that the Board of Works not proceed with this project until the Utility's share is greatly reduced (TABLED FROM LAST WEEK);

    Pat Callahan, WPC Engineering, stated that the City is within EPA and City regulations if the City does not proceed with this project.
    Jim Owen moved to accept recommendation from WPC Engineering not to proceed with this project until the Utility's share is greatly reduced. Motion carried. Property owners to be notified.

20. Traffic Signal Agreement between the City of Fort Wayne and the Shoppes of Coldwater, Inc. for the installation of a fully actuated traffic signal system at the intersection of 100 E. Washington Center Road and Coldwater Crossing Entrance;
Katherine Carrier moved to table Traffic Signal Agreement between the City of Fort Wayne and the Shoppes of Coldwater until the members of the Board of Works receive an executed copy from the owner. Motion carried. Agreement tabled.

21. Revolving Barrett Law Claims in the amount of $2,034.38.
Katherine Carrier moved approval of Revolving Barrett Law Claims in the amount of $2,034.38. Motion carried. Claims approved and forwarded to Barrett Law Office for handling.

22. Claims approval in the amount of $17,097,740.30.

Katherine Carrier requested a response on the City Center expenditure. Kathy Meeks, Department of Finance, is to respond to the Members of the Board of Works.
Katherine Carrier moved approval of Claims in the amount of $17,097,740.30. Motion carried. Claims approved.

23. Taxi Cab License Applicant Kevin S. Giant;
Katherine Carrier moved approval of Taxi Cab License Applicant Kevin S. Giant. Motion carried. License to be issued.

24. Taxi Cab License Renewal Michael K. Fowler;
Jim Owen moved approval of Taxi Cab License Renewal for Michael K. Fowler. Motion carried. License to be renewed.

25. Old Business;

Katherine Carrier stated that she would like for the members of the Board of Works to review the budget for Civil City Engineering.

26. New Business;

Katherine Carrier requested that the letters requiring the signature of Board of Works members should incorporate both genders in the salutation.

27. Contract change for Hoeppner Construction;

Melanie Hickman, Police Department, stated that this is a request for the contract to Hoeppner Construction for the remodeling of the Phelps Dodge Building be changed to $35,300. The reason for the amendment is $3,000.00 for sub-flooring and $1,000.00 contingency fee.
Jim Owen moved approval of Contract change for Hoeppner Construction in the amount of $35,300 for the remodeling of the Phelps Dodge Building. Motion carried. Contracts to be presented for Board signature at next weeks Board meeting.

Meeting adjourned at 10:30 a.m.

Charles [illegible]. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Staff Attorney, Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Terry Atherton, Utility Administration; Tom Pallone, Al Frisinger, Pat Callahan, Mike Thornson, Mike Hicks, WPC Engineering; Rick Orr, Right-of-Way; and David Ross, City Engineering. Katherine A. Carrier, absent.

1. Approval of Board Minutes of January 26, 1994;
   Jim Owen moved approval of Board Minutes of January 26, 1994. Motion carried. Minutes approved as distributed.

2. **RESOLUTION** for St. Mary's Service Area Adjustment of Area Connection Fees for Sewers Based Upon Consumer Price Index. Area connection fees for the St. Mary's Area will be set at $879.00;
   Jim Owen moved approval of Resolution for St. Mary's Service Area Adjustment of Area Fees for Sewers Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

3. **RESOLUTION** for St. Joe Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the St. Joe Service Area will be set at $970.00;
   Jim Owen moved approval of Resolution for St. Joe Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

4. **RESOLUTION** for Spy Run Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the Spy Run Service Area will be set at $970.00;
   Jim Owen moved approval of Resolution for Spy Run Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

5. **RESOLUTION** for Junk Ditch Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the Junk Ditch Service Area will be set at $970.00;
   Jim Owen moved approval of Resolution for Junk Ditch Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

6. **RESOLUTION** for North Maumee Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the North Maumee Service Area will be set at $999.00;
   Jim Owen moved approval of Resolution for North Maumee Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

7. **RESOLUTION** for Southwest Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the Southwest Service Area will be set at $1,236.00;
   Jim Owen moved approval of Resolution for Southwest Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

8. **EMERGENCY RESOLUTION** authorizing an emergency purchase order to hire an outside contractor to assist the City of Fort Wayne in filling potholes;
   Jim Owen moved approval of Emergency Resolution authorizing an emergency purchase order to hire an outside contractor to assist the City of Fort Wayne in filling potholes. Motion carried. Copy herein incorporated. Purchasing to issue Purchase Order.

9. Sewer Contract 93-S-57 between W & M Development and the Fort Wayne Water Pollution Control Utility to construct a local sanit

February 2, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Thelma A. Morris, Clerk Protem

PRESENT: Charles E. Layton, C. James Owen, Thelma A. Morris, Board of Public Works; Walter Jordan & Charles Bailey, Contract Compliance; Linda Powell, Staff Attorney, Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Terry Atherton, Utility Administration; Tom Pallone, Al Frisinger, Pat Callahan, Mike Thornson, Mike Hicks, WPC Engineering; Rick Orr, Right-of-Way; and David Ross, City Engineering. Katherine A. Carrier, absent.

1. Approval of Board Minutes of January 26, 1994;
   Jim Owen moved approval of Board Minutes of January 26, 1994. Motion carried. Minutes approved as distributed.

2. **RESOLUTION** for St. Mary's Service Area Adjustment of Area Connection Fees for Sewers Based Upon Consumer Price Index. Area connection fees for the St. Mary's Area will be set at $879.00;
   Jim Owen moved approval of Resolution for St. Mary's Service Area Adjustment of Area Fees for Sewers Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

3. **RESOLUTION** for St. Joe Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the St. Joe Service Area will be set at $970.00;
   Jim Owen moved approval of Resolution for St. Joe Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

4. **RESOLUTION** for Spy Run Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the Spy Run Service Area will be set at $970.00;
   Jim Owen moved approval of Resolution for Spy Run Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

5. **RESOLUTION** for Junk Ditch Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the Junk Ditch Service Area will be set at $970.00;
   Jim Owen moved approval of Resolution for Junk Ditch Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

6. **RESOLUTION** for North Maumee Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the North Maumee Service Area will be set at $999.00;
   Jim Owen moved approval of Resolution for North Maumee Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

7. **RESOLUTION** for Southwest Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Area connection fees for the Southwest Service Area will be set at $1,236.00;
   Jim Owen moved approval of Resolution for Southwest Service Area Adjustment of Area Connection Fees Based Upon Consumer Price Index. Motion carried. Copy herein incorporated.

8. **EMERGENCY RESOLUTION** authorizing an emergency purchase order to hire an outside contractor to assist the City of Fort Wayne in filling potholes;
   Jim Owen moved approval of Emergency Resolution authorizing an emergency purchase order to hire an outside contractor to assist the City of Fort Wayne in filling potholes. Motion carried. Copy herein incorporated. Purchasing to issue Purchase Order.

9. Sewer Contract 93-S-57 between W & M Development and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Westwood North Section 4 sanitary extension (PRIVATELY FUNDED);

Jim Owen moved approval of Sewer Contract 93-S-57 between W & M Development and the Fort Wayne Water Pollution Utility. Motion carried. Copy on file.

10. Water Contract 9314 between Superior Enterprises, Inc. and the City of Fort Wayne to construct water main systems to serve Hillegas Commercial Park Section II (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9314 between Superior Enterprises, Inc. and the City of Fort Wayne. Motion carried. Copy on file.

11. Contract for Resolution 235-93 between Weikel Line Company, Inc. and the City for Kitch/McDonald Street Light Improvement in the amount of $9,839.85 (1993 COIT);
Jim Owen moved approval of Contract for Resolution 235-93 between Weikel Line Company, Inc. and the City in the amount of $9,839.95. Motion carried. Copy on file. Notice to Proceed sent.

12. Contract between the City and Hoeppner Construction Corp. for the renovation of the Phelps Dodge Building for the Police Department in the amount of $35,300.00 (POLICE BUDGET);
Jim Owen moved approval of Contract between the City and Hoeppner Construction Corp. in the amount of $35,300.00. Motion carried. Copy on file.

13. Contract between the City and Votaw & Sons Electric for the renovation of the Phelps Dodge Building for the Police Department in the amount of $11,726.00 (POLICE BUDGET);
Jim Owen moved approval of Contract between the City and Votaw & Sons Electric in the amount of $11,726.00. Motion carried. Copy on file.

14. Contract between the City and Scherer Mechanical for the renovation of the Phelps Dodge Building for the Police Department in the amount of $13,100.00 (POLICE BUDGET);
Jim Owen moved approval of Contract between the City and Scherer Mechanical in the amount of $13,100.00. Motion carried. Copy on file.

15. **IMPROVEMENT RESOLUTION 6326-94,** Hazelwood/Bolton/Edgewater Improvement (CEDIT NEIGHBORHOOD);
Jim Owen moved to amend item #15 to read "Improvement Resolution 6326-94, Hazelwood/Bolton/Edgewater Street Improvement." Motion carried. Charles Layton moved to approve Improvement Resolution 6326-94, Hazelwood/Bolton/Edgewater Street Improvement. Motion carried. Copy herein incorporated.

16. Change Order 1 received from Mergy Construction Co. for Resolution 6283-92, Project Renew, Lafayette & Williams Street decreasing the contract price by $143.42. Original contract price was $14,208.25;
Jim Owen moved approval of Change Order 1 received from Mergy Construction Co. for Resolution 6293-92 decreasing the contract price by $143.42. Motion carried. Copy on file.

17. Recommendation from WPC Engineering regarding petition for sanitary sewer installation in the 5100-5500 blocks of Covington Road. WPC recommends that the Board of Works proceed with this as a Barrett Law Revolving Fund Project;
Jim Owen moved to concur with recommendation from WPC Engineering to proceed with sanitary sewer installation in the 5100-5500 blocks of Covington Road as a Barrett Law Revolving Fund Project. Motion carried. WPC Engineering to prepare plans and specifications.

18. **SEWER EASEMENT RESOLUTION 211-94** for Condemnation of Permanent and Temporary Blum-Innsbruck Sanitary Sewer Extension. It is desired and deemed necessary to condemn right-of-way for permanent and temporary easement to facilitate the construction, operation, control and maintenance of a sanitary sewer line;

    Linda Powell, Staff Attorney, apprised the Board of the following; the first step is for the Board of Public Works to adopt a resolution explaining that it desires to appropriate or condemn certain real or personal property for a specific purpose. A public hearing on this resolution will be advertised once a week for two consecutive weeks. The notice must set a date at least ten 10 days in advance of the second publication date for a hearing, at which time the Board will receive remonstrances.
    Jim Owen moved approvement of Sewer Easement Resolution 511-94 for Condemnation of Permanent and Temporary Blum-Innsbruck Sanitary Sewer Extension. Motion carried. Copy herein incorporated.

19. Received recommendation from WPC Engineering to accept Contract 93-S-33, Hydra-Tech Sanitary Sewer as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 93-S-33 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter sent to Star Excavating.

20. Encroachment License Agreement between the City and AAA Appliance at 1643 Wells Street requesting a sign to encroach into the right-of-way of Wells Street. This has been routed through the various departments and approved. C&ED has recommended that approval should be subject to final review of design and placement of sign relative to the building architecture to ensure its compatibility with surroundings;
Jim Owen moved approval of Encroachment License Agreement between the City and AAA Appliance. A caveat to this motion is that approval should be subject to final review of design and placement of sign relative to the building architecture to ensure its compatibility with surroundings. Motion carried. Agreement forwarded to the Recorder's Office for recordation.

21. Encroachment License Agreement between the City and Advanced Cutting Systems, Inc. for a metal building which encroaches 0.5' onto a 12 foot alley. This has been routed through the various departments and approved subject to a Letter of Commitment to vacate this alley later on;
Jim Owen moved approval of Encroachment License Agreement between the City and Advanced Cutting Systems, Inc. Motion carried. Agreement forwarded to the Recorder's Office for recordation.

22. Revolving Barrett Law Claims in the amount of $78,767.48.
Jim Owen moved approval of Revolving Barrett Law Claims in the amount of $78,767.48. Motion carried. Barrett Law Claims forwarded to Barrett Law Office for their handling.

23. Claims approval in the amount of $16,475,131.92.
Jim Owen moved approval of Claims in the amount of $16,475,131.92. Motion carried. Claims forwarded to General Accounting for their handling.

24. Taxi Cab License Applicant Jeffrey P. Campbell;
Jim Owen moved approval of Taxi Cab License Applicant Jeffrey P. Campbell. Motion carried. License issued.

25. Taxi Cab License Applicant Mary Jane Miller;
Jim Owen moved to concur with Police Chief Neil Moore's recommendation to deny Taxi Cab License Applicant Mary Jane Miller. Motion carried. Intent to Deny letter sent to Mary Jane Miller.

26. Taxi Cab License Applicant Charles E. Patton;
Jim Owen moved to concur with Police Chief Neil Moore's recommendation to deny Taxi Cab License Applicant Charles E. Patton. Motion carried. Intent to Deny letter sent to Charles E. Patton.

27. Taxi Cab License Renewal Timothy Charles Carr;
Jim Owen moved approval of Taxi Cab License Renewal Timothy Charles Carr. Motion carried. Taxi Cab License renewed.

28. Old Business: None

29. New Business: None

Meeting adjourned at 9:35 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Thelma A. Morris
Thelma A. Morris, Clerk Protem

February 9, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; R. David Boyer, Assoc. City Attorney; Deb Farrell & Terry Atherton, Utility Administration; Ann Smith & Dave Ross, City Engineering; Mary Jane Slaton, PIO Office; Linda Powell, Staff Attorney; Rick Orr, Right-of-Way; Tim Warren, Water Resources; Mike Thornson, Al Frisinger, and Pat Callahan, WPC Engineering; Walter Jordan & Charles Bailey, Contract Compliance; and Tim Ochs, Attorney.

1. AWARD: Construction of Fire Station #13, Clinton Street at Red Haw Drive to Weigand Construction Company in the amount of $913,000.00 and Alternate 1 in the amount of $40,000.00 (FIRE BUDGET);
Katherine Carrier moved approval of award of Construction of Fire Station #13 to Weigand Construction Company in the amount of $913,000.00. Motion carried. Notice of Award sent. Martin Riley Mock, Architects to prepare contracts.

2. Approval of Board Minutes of February 2, 1994;
Katherine Carrier moved to table approval of Board Minutes of February 2, 1994 due to the lack of a quorum. Motion carried. Minutes tabled. Upon the arrival of Board Member Jim Owen, who moved to approve the Board Minutes of February 2, 1994, the motion carried. Minutes approved as distributed.

3. Change Order #1 received from Industrial Piping & Engineering Corp. requesting a 30 day time extension for Resolution 513-1993, Chlorine Unloading Pipe for Replacement at W.P.C. Plant (SEWER UTILITY);
Katherine Carrier moved approval of Change Order #1 received from Industrial Piping & Engineering Corp. requesting a 30 day time extension for Resolution 513-1993. Motion carried. Copy on file.

4. Received recommendation from WPC Engineering to accept the work performed on Resolution 509-1993, Baldwin Ditch Phase II as an integral part of the City's storm sewer system;
Katherine Carrier moved to accept work performed on Resolution 509-1993 as an integral part of the City's storm sewer system. Motion carried. Acceptance letter sent to Bercot, Inc.

5. Received recommendation from Water Engineering to accept the work performed on Resolution 1060-92, Neuhaus Drive Water Main Extension Section III as an integral part of the City's water main system;
Katherine Carrier moved to accept work performed on Resolution 1060-92 as an integral part of the City's water main system. Motion carried. Acceptance letter sent to Pyramid Excavating, Inc.

6. Standard Form of Agreement between the City and Hamilton Hunter Builders, Inc. for Construction for Women's Restroom for Water Maintenance and Service at 415 East Wallace Street in the amount of $21,934.00 (WATER UTILITY);
Jim Owen moved approval of Standard Form of Agreement between the City and Hamilton Hunter Builders, Inc. for Construction for Women's Restroom for Water Maintenance and Service at 415 East Wallace Street in the amount of $21,934.00. Motion carried. Notice to Proceed sent to Hamilton Hunter Builders, Inc.

7. IMPROVEMENT RESOLUTION 6327-94, Tillman Road Resurfacing - John Street to Stellhorn Bridge (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6327-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 2/11/94 and 2/18/94 with date to receive bids 3/2/94.

8. RESOLUTION for the vacation of an alley West of Fairfield Avenue from the South property line of Nuttman Avenue to the North property line of the first alley South of Nuttman in Josephine M. Zimmerman's Addition Subdivision of part Ewing's Out Lot No. 2. Petitioner is William R. and Kristeen L. Cummins. This vacation of dedicated alley has been routed through all departments;

Jim Owen moved approval of Resolution for the vacation of an alley West of Fairfield Avenue in Josephine M. Zimmerman's Addition. Motion carried. Copy on file.

9. Request for Partial Release of Easement to benefit K & H (Roth Wehrly) Realty;

   Tim Ochs, Attorney for Hagerman Construction, apprised the Board of the following; an improvement has been constructed by Hagerman Construction for K & H (Roth Wehrly) Realty which encroaches 4' on an 14' easement located NW of the intersection of Maplecrest and Stellhorn Roads. Because the City is providing water and sanitary sewer which services an area including the real estate, the City is a beneficiary of the easement. The City has no utility facilities in the easement which will be adversely affected by the encroachment. Roth Wehrly is requesting the City partially release and vacate the easement for the area upon which the encroachment occurs. WPC Engineering and Water Engineering have no objection to this.

   Mr. Ochs assured the Board that K & H would grant us 60' or 70' of additional easement on the property north of Walgreens which would extend to the west Boundary of K & H.
   Charles Layton moved to accept the request for Partial Release of Easement. Jim Owen proposed a friendly amendment for the Partial Release of Easement making its approval contingent upon the granting of the reciprocal easement. Motion carried. The Board then voted to accept the request for Partial Release of Easement. Motion carried. Copy herein incorporated.

10. Revolving Barrett Law Claims in the amount of $51,269.80.
    Katherine Carrier moved approval of Revolving Barrett Law Claims in the amount of $51,269.80. Motion carried. Claims approved and forwarded to Barrett Law Office for handling.

11. Claims approval in the amount of $19,961,112.71.
    Katherine Carrier moved approval of claims in the amount of $19,961,112.71. Motion carried. Claims forwarded to General Accounting for their handling.

12. Taxi Cab License Applicants James C. Eichhorn and William L. Proscia;
    Jim Owen moved approval of Taxi Cab License Applicants James C. Eichhorn and William L. Proscia. Motion carried. Licenses to be issued.

13. Taxi Cab License Renewals Cora M. Stone and Timothy A. Stults;
    Jim Owen moved approval of Taxi Cab License Renewals Cora M. Stone and Timothy A. Stults. Motion carried. Licenses to be renewed.

14. Old Business; None.

15. New Business; None.

Meeting adjourned at 9:35 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 16, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; David Ross & Ann Smith, City Engineering; Tim Warren & Roger Warner, Water Resources; R. David Boyer, Assoc. City Attorney; Mary Jane Slaten, Public Information Office; Rick Orr, ROW; Walter Jordan & Charles Bailey, Contract Compliance; Mike Thornson & Marion Robinson, WPC Engineering and Terry Atherton, Utility Administration.

1. Approval of Board Minutes of February 9, 1994;
   Jim Owen moved approval of Board Minutes of February 9, 1994. Motion carried. Board Minutes approved as distributed.

2. Recommendation from Water Engineering regarding petition for water main extension for 1800-2200 blocks of Seddlemeyer. Water Engineering recommends that the Board of Works proceed with this as a Barrett Law Project;
   Jim Owen moved approval of recommendation from Water Engineering regarding petition for water main extension from 1800-2200 blocks of Seddlemeyer. Motion carried. Water Engineering to prepare resolution.

3. Received Cable Television Program Advisory Council Grant Recipient Contract for the following:

   Allen County Public Library - Channel 10 in the amount of $32,899.00

   Fort Wayne Community Schools - Channel 20 in the amount of $36,905.00

   Fort Wayne Dance Collective in the amount of $1,099.00

   Purdue University in the amount of $8,565.00

   This is per Common Council Appropriation Ordinance S-86-93
   Jim Owen moved approval of Cable Television Program Advisory Council Grant Recipient Contracts for the above listed agencies. Motion carried. Copies on file in vault.

4. Received Application for Extension of Time to Connect to the Public Sewer because of economic hardship from Timothy & Darlene Amstutz, 505 Ward Drive. Director of Pollution Control has no objection to a ninety day extension;
   Katherine Carrier moved approval of Application for Extension of Time to Connect to the Public Sewer from Timothy & Darlene Amstutz. Motion carried. Ninety day extension approved.

5. Received recommendation from WPC Engineering to accept the work performed on Contract 92-S-41, Wayne Haven Industrial Park Lot 21 as an integral part of the City's sanitary sewer system;
   Jim Owen moved approval of recommendation from WPC Engineering to accept the work performed on Contract 92-S-41. Motion carried. Acceptance letter sent to Liberty Construction Company Inc.

6. Received recommendation from WPC Engineering to accept the work performed on Resolution 506-93, Schomburg Dells Storm Drainage Improvement as an integral part of the City's storm sewer system;
   Jim Owen moved approval of recommendation from WPC Engineering to accept the work performed on Resolution 506-93. Motion carried. Acceptance letter sent to Bercot, Inc.

7. Storm Sewer Contract 94-ST-01 between W & M Development and the Fort Wayne Water Pollution Control Utility to construct a local storm sewer system to serve Westwood North Section IV Storm Sewer Extension (PRIVATELY FUNDED);
   Jim Owen moved approval of Storm Sewer Contract 94-ST-01 between W & M Development and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. Agreement between the City and Indiana Department of Transportation for all right-of-way activities and cost related to improvement at intersection of Ardmore Avenue and Covington Road, Project No. STP-F024(4). Activity cost shall be funded 80% Federal, 20% Local (City). The local funding source will be through CEDIT BOND;

   David Ross, City Engineer, apprised the Board of the following; presently the City has a consultant doing the design work. The consultant developed preliminary plans and had a public hearing. The public hearing approved preliminary plans allowing the City to proceed with right-of-way acquisition for this project. The estimated cost for the acquisition of right of way is approximately $180,000.00.
   Jim Owen moved approval of Agreement between the City and Indiana Department of Transportation for all right-of-way activities and cost related to Project No. STP-F024 (4). Motion carried. Copy on file in vault.

9. Agreement between the City and Indiana Department of Transportation to participate in the preliminary engineering on Ardmore Avenue from 600' north of intersection with Lower Huntington road to Indianapolis Road, Project No. STP-F024(5). Project will be funded 80% Federal, 20% Local (City) with the local share funding coming from CEDIT BOND;

   David Ross, City Engineer, apprised the Board of the following; this is an agreement with the state to assist the City in funding preliminary engineering for this project. Bonar & Associates was selected from four consultants who submitted proposals on this project. Project will be funded 80% Federal, 20% Local (City) with funding from CEDIT BOND for the local share;
   Katherine Carrier moved approval of Agreement between the City and Indiana Department of Transportation to participate in the preliminary engineering on Project No. STP-F024(5). Motion carried. Copy on file in vault.

10. Agreement between the City and Bonar Associates Inc. for Preliminary Engineering Services required in connection with extension of Ardmore Avenue from Lower Huntington Road to Indianapolis Road, Project No. STP-F024(5). Total fee not to exceed $175,400.00.
    Jim Owen moved approval of Agreement between the City and Bonar Associates Inc. for Preliminary Engineering Services required in connection with Project No. STP-F024(5) contingent upon Councilmanic approval. Motion carried. Agreement approved subject to Councilmanic approval. Copy on file in vault.

11. Revolving Barrett Law claims in the amount of $7,197.42.
    Katherine Carrier moved approval of Revolving Barrett Law claims in the amount of $7,197.42. Motion carried. Claims approved and forwarded to Barrett Law for handling.

12. Claims approval in the amount of $8,462,233.37.
    Katherine Carrier moved approval of claims in the amount of $8,462,233.37. Motion carried. Claims approved and forwarded to General Accounting for their handling.

13. Taxi Cab License Renewals Robert L. Aulbach, Gary D. Feldheiser and Thomas G. Summers;
    Jim Owen moved approval of Taxi Cab License Renewals Robert L. Aulbach, Gary D. Feldheiser and Thomas G. Summers. Motion carried. Licenses to be renewed.

14. Taxi Cab License Applicant Damon L. Hill;
    Jim Owen moved not to approve Taxi Cab License Applicant Damon L. Hill until his record is cleared from Police Department. Motion carried. Letter of Intent to Deny sent.

15. Taxi Cab License Applicants John H. Martin and Frank M. Retos;
    Jim Owen moved approval of Taxi Cab License Applicants John H. Martin and Frank M. Retos. Motion carried. Licenses to be issued.

16. Old Business:

    None.

17. New Business:

(a) Jim Owen inquired about deliberations on privatization debates in the community that relate to functions of the Board of Works.

Terry Atherton, Utility Administration, apprised the Board of the following; there is a seven-member committee which Council formed that meets publicly every other Tuesday from 3:30 p.m. to 5:30 p.m. prior to Council. Presentations are made to the committee by different privatization vendors. The committee is in the process of hiring a consultant to assist them in their work to choose a vendor.

(b) Jim Owen requested that updates be presented to the Board from Solid Waste Manager Barb Nussa on the garbage contract and Linda Buskirk, BOW, on the cable TV contract.

Meeting adjourned at 9:35 a.m.

Charles E. Layton, Director

Kath A Carrier

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST

Patricia J. Crick, Clerk

February 23, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk and Linda Buskirk, BOW; Mary Jane Slaton, Public Information Office; David Ross, City Engineer; Rick Orr, Right-of-Way Dept.; Walter Jordan & Charles Bailey, Contract Compliance; Don Bodecker, Technical Services; Pat Callahan, Mike Hicks and Mike Thornson, WPC Engineering; Roger Warner, Water Resources; Neil Wisler, WPC Plant; and David R. Boyer, Assoc. City Attorney.

1. **RECEIVE BIDS** - Resolution 6326-94, Hazelwood/Bolton/Edgewater Street Improvement (CEDIT Funded)

Brooks Construction	$50,982.00
Dehner Construction	51,911.25
E & B Paving	52,449.50
Mergy Construction	44,614.00
Tomco Construction	42,577.00
Eng. Est.	$44,240.00

Street Engineering to tabulate and report.

2. Board Minutes of February 16, 1994;
Katherine Carrier moved approval of Board Minutes of February 16, 1994. Motion carried. Minutes approved as distributed.

3. **RESOLUTION** Concerning Technical Services increasing their hourly rate from $23.00 to $24.00 because of higher labor and material costs;

Don Bodecker, Technical Services, apprised the Board of the following; this Resolution is for an annual request for rate adjustment for Technical Services Department for services provided to the engineering staff. The IAM contract raised the labor charge approximately $.80 an hour so the $1.00 an hour adjustment is being requested. Technical Services was $21,845.00 in the black last year, but over a five year period they were on an average $23,400.00 in the red. The rate increase was $1.00 an hour in 1993. He stated that the Department tries to break even and not make a profit. He also stated that the utilities has to absorb the cost when Technical Services is in the red.

Jim Owen stated he would like more information supporting the $1.00 increase.

Katherine Carrier stated that she was interested in recommendations from departments that are charged by Technical Services and what the increases had been over the last five years.
Jim Owen moved to table Resolution concerning Technical Services increasing their hourly rate for one week for further investigation. Motion carried. Don Bodecker is to furnish the Board members with more information supporting the rate adjustment.

4. **IMPROVEMENT RESOLUTION 6324-94,** Fairmont Place Addition Curb & Sidewalk Improvement Phase IV, (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval Improvement Resolution 6324-94. Motion carried. Copy herein incorporated.

5. **IMPROVEMENT RESOLUTION 6328-94,** Lynn Avenue Improvement Road Reconstruction California Avenue to Florida Avenue (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Katherine Carrier moved approval of Improvement Resolution 6328-94. Motion carried. Copy herein incorporated.

6. **RESOLUTION 1062-94,** Seddlemeyer Avenue Water Main Extension (WATER UTILITY/REVOLVING BARRETT LAW);
Jim Owen moved approval of Resolution 1062-94. Motion carried. Copy herein incorporated.

7. Change Order 2 received from Dehner Construction Co., Inc. for Resolution 6231-92, Daner Drive - North Drive to South Drive increasing the contract price by $3,051.80. Original contract price was $147,656.75;
Katherine Carrier moved approval of Change Order 2 received from Dehner Construction Co., Inc. for Resolution 6231-92 increasing the contract price by $3,051.00. Motion carried. Copy on file.

8. Change Order 1 received from Tomco Construction for Resolution 6278-92, 1992 Neighborhood Commercial Capital Improvements - Package 92B decreasing the contract price by $1,375.14. Original contract price was $13,680.50;
Katherine Carrier moved approval of Change Order 1 received from Tomco Construction for Resolution 6278-92 decreasing the contract price by $1,375.14. Motion carried. Copy on file.

9. Recommendation received from WPC Plant to accept the work performed on the WPC Plant Computerization project by Long Electric;
Jim Owen moved approval of recommendation received from WPC Plant to accept the work performed on the WPC Plant Computerization project. Motion carried. Acceptance letter sent to Long Electric.

10. Approval of appraisals received from Butler Fairman Seufert, Inc. for sewer relocation at the I-469 Bypass;

    Pat Callahan, WPC Engineer, apprised the Board of the following; Butler Fairman Seufert, Inc. is requesting Board approval of appraisals so they can begin negotiations with property owners to acquire needed easements. There are two property owners involved with a total of four easements.
    Katherine Carrier moved approval of appraisals received from Butler Fairman Seufert, Inc. for sewer relocation at the I-469 Bypass. Motion carried. Copy on file.

11. Update on Cable Television contract;

    Linda Buskirk, Board of Works, apprised the Board of the following; negotiations are progressing and the Cable Franchise Committee had a one day negotiation session in January with Comcast Cablevision. The negotiators for the City, Dave Hawk, Assoc. City Attorney and Adrian Herbst, Consultant with Moss & Barnett are actively employed in achieving results for a future session with the Comcast Cablevision representatives. Linda Buskirk stated that the current franchise has been extended until June.

12. Revolving Barrett Law Claims approval in the amount of $9,000.17.
Katherine Carrier moved approval of Revolving Barrett Law Claims in the amount of $9,000.17. Motion carried. Claims forwarded to the Barrett Law Office for handling.

13. Claims approval in the amount of $1,646,445.79
Katherine Carrier moved approval of claims in the amount of $1,646,445.79. Motion carried. Claims approved and forwarded to Civil City Accounting for payment.

14. Old Business:

    None.

15. New Business:

    None.

Meeting adjourned at 9:30 a.m.

Charles E. Layton, Director

Kathi A. Carrier

Katherine A. Carrier, Member

W. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

February 23, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles Layton, C. James Owen, Patricia Crick, BOW; Betsy Meyer Barrett Law and Vic Bobay, Street Engineering. Katherine A. Carrier, absent;

1. Notice of Final Hearing for Confirmation of Assessment on Resolution #6295-93 Amended, Hawthorn Road Total Street Reconstruction - South Washington Road to Saginaw Drive.
   Jim Owen moved to confirm Assessment Roll for Resolution 6295-93 Amended. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 11:00 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

x James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 2, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick, Linda Buskirk, Board of Public Works; Charles Bailey & Walter Jordan, Contract Compliance; David Ross & Ann Smith, City Engineering; Douglas Lehman, Department of Finance; Rick Orr, ROW; Wayne O'Brien & Tom Cain, C&ED; Mary Jane Slaton, Public Information Office; Tom Pallone, Mike Thornson & Pat Callahan, WPC Engineering; Don Bodecker, Technical Services; Tim Warren, Water Resources; Terry Atherton & Deb Farrell, Utility Administration and R. David Boyer, Associate City Attorney. C. James Owen, absent.

1. RECEIVE BIDS - Resolution 6327-94, Tillman Road Resurfacing - John St. to Stellhorn Bridge (CEDIT BOND FUNDED)

Brooks Construction	$150,678.00
S. E. Johnson Companies	158,453.00
Wayne Asphalt	166,450.00
Eng. Est.	$209,695.00

Street Engineering to tabulate and report.

2. RECEIVE REQUEST FOR PROPOSALS for Yardwaste Collection;

Acme Waste - No Bid

National Serv-All

Proposal #1	Proposal #2	Proposal #3	Proposal #4
$46.00 Ton	$54.00 Ton	$98.00 Ton	$124.00 Ton

Solid Waste Manager to tabulate and report.

3. AWARD: Resolution 6326-94, Hazelwood/Bolton/Edgewater Improvement to Tomco Construction in the amount of $42,577.00 (CEDIT NEIGHBORHOOD);
Katherine Carrier moved approval of Award of Resolution 6326-94 to Tomco Construction in the amount of $42,577.00. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

4. AWARD: Asbestos Removal Project for the WPC Plant to Environmental Technology, Inc. in the amount of $24,473.00 (SEWER REVENUE);
Katherine Carrier moved approval of Award of Asbestos Removal Project for the WPC Plant to Environmental Technology. Motion carried. Notice of Award sent.

5. Approval of Board Minutes of February 23, 1994 and Public Hearing Minutes of February 23, 1994;
Katherine Carrier moved approval of Board Minutes of February 23, 1994. Motion carried. Minutes approved as distributed. Katherine Carrier then moved to table Public Hearing Minutes of February 23, 1994. Motion carried. Public Hearing Minutes tabled.

6. RESOLUTION CONCERNING GTE NETWORK SERVICES;

Douglas Lehman, Department of Finance, apprised the Board of the following; the existing telecommunication system owned by the City of Fort Wayne is antiquated and the City conducted an Request for Proposal process to select a new telecommunication network services provider. The City negotiated a long-term contract with the successful proposer, GTE, for digital Integrated Services Digital Network services for both voice and data. This resolution approved the GTE Network Services Contract.

The GTE Network Services Contract is for a term of 10 years and the contract cost per station is $8.40 per month for approximately 850 stations. The approximate value of the contract term is $856,800.
Katherine Carrier moved approval of Resolution Concerning GTE Network Services subject to Councilmanic approval. Motion carried. Copy herein incorporated.

7. RESOLUTION REGARDING KLF TELECOMMUNICATIONS WIRING;

Douglas Lehman, Department of Finance, apprised the Board of the following; the City conducted a Request for Proposal process to select a telecommunication internal wiring provider as the existing internal wiring system owned by the City of Fort Wayne is antiquated. The City negotiated a contract with the successful proposer, KLF, for the internal wiring of the City-County Building and the Police Operations Center. This resolution approves the KLF Internal wiring contract. The total amount for the KLF Internal Wiring Contract is $786,456.00.
Katherine Carrier moved approval of Resolution Regarding KLF Telecommunications Wiring subject to Councilmanic approval. Motion carried. Copy herein incorporated.

8. EMERGENCY RESOLUTION to repair an existing 12" combination sewer in the alley north of the 1300 block of Huestis Avenue which collapsed and is restricting normal flow of sewage;

Katherine Carrier moved approval of Emergency Resolution to repair an existing 12" combination sewer in the alley north of the 1300 block of Huestis Avenue. Motion carried. Copy herein incorporated.

9. **RESOLUTION** for vacation of utility easement on Lot #129 in the Village of Buckingham, Section II. Petitioner is Left Guard Corporation. This vacation of utility easement has been routed through all departments;
   Katherine Carrier moved approval of Resolution for vacation of utility easement on Lot #129 in the Village of Buckingham, Section II. Motion carried. Copy on file.

10. **IMPROVEMENT RESOLUTION 6325-94,** Collins Road - Speedway Drive to Coldwater Road Reconstruction (CEDIT BOND);
    Katherine Carrier moved approval of Improvement Resolution 6325-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractor 3/4 and 3/10 with date to receive bids 3/23/94.

11. Sewer Contract 94-S-3 between Colonial Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Autumn Ridge Section 7 Sanitary Extension (PRIVATELY FUNDED);
    Katherine Carrier moved approval of Sewer Contract 94-S-3 between Colonial Development Corp. and the Fort Wayne Water Pollution Utility. Motion carried. Copy on file.

12. Sewer Contract 94-S-6 between Hickory Glen Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Hickory Glen Sanitary Extension (PRIVATELY FUNDED);
    Katherine Carrier moved approval of Sewer Contract 94-S-6 between Hickory Glen Development Corp. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

13. Water Contract 9401 between Hickory Glen Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Hickory Glen Subdivision (PRIVATELY FUNDED);
    Katherine Carrier moved approval of Water Contract 9401 between Hickory Glen Development Corp. and the Fort Wayne Water Utility. Motion carried. Copy on file.

14. Agreement between Environmental Technology, Inc. and the Board of Works of the City of Fort Wayne to perform all of the Asbestos Abatement for the Digester Building of the Water Pollution Control Plant in the amount of $24,473.00 (SEWER REVENUE);
    Katherine Carrier moved approval of Agreement between Environmental Technology, Inc. Motion carried. Copy on file. Notice to Proceed to be sent upon receipt of proper insurance documents.

15. Received Encroachment License Agreement from Four Winds Beauty Salon for an awning to encroach into right-of-way of Wayne Street. Various departments have no objection except for Tom Cain, C&ED;

    Tom Cain, C&ED stated that he felt this encroachment was not necessary because this area is not a drop off zone and people who would benefit from the owning is minimal. Also, Tom Cain stated that some work may be proposed in the future in connection with the Streetscape Improvement by the Redevelopment Commission at this location and that would affect this awning.

    Katherine Carrier moved to approve the Encroachment License Agreement from Four Winds Beauty Salon providing the owner is advised of future enhancements to be done at his location. Motion carried. Pat Crick, Clerk to the Board is to notify owner that he should contact Ron Fletcher, Redevelopment regarding potential changes.

16. Received request for Waiver of Barricade Fees for St. Jude's Catholic School for April 23, 1994 from 8 A.M. - 11 A.M. for a 5K Race and Fun Run to be held at Randallia and Forest;
    Katherine Carrier moved approval of request for Waiver of Barricade Fees for St. Jude's Catholic School for April 23, 1994. Motion carried. Fees to be waived.

17. Auto Liability and General Liability Claims in the amount of $81,200.83 per City Ordinance G-18-89;
    Katherine Carrier moved approval of Auto Liability and General Liability Claims in the amount of $81,200.83. Motion carried. Claims forwarded to Risk Management for their handling.

18. Received recommendation from Water Engineering regarding petition received from property owners on Eicher Drive to hold the project until funds are available to help share the cost;

    Tim Warren, Water Resources, apprised the Board of the following; the City's share for this project would be approximately $60,000 which is not available at this time. The property owners can go for a temporary service agreement routing a service line to another water main or the property owners also have the option of picking up the full share of the cost.
    Katherine Carrier moved to table item #18 for 30 days until the property owners are notified by staff of their options regarding this petition. Motion carried. Item #18 tabled.

19. Change Order #1 received from Scheidleman Excavating, Inc. for Resolution 925-93, Haffner Drive Sanitary Sewer decreasing the contract price by $6,316.65. Original contract price was $155,344.04;

    Katherine Carrier moved approval of Change Order #1 received from Scheidleman Excavating, Inc. for Resolution 925-93. Motion carried. Copy on file.

20. Change Order #1 received from Land, Inc. for Contract 514-93, Lake Forest Village Sanitary Rehabilitation. This is a no cost change order.
    Katherine Carrier moved approval of Change Order #1 received from Land, Inc. for
    Resolution 514-93 at no cost. Motion carried. Copy on file.

21. Change Order #1 received from Brooks Construction Co. for Resolution 6321-93, Pettit Avenue (3 R) decreasing the contract price by $3,701.25. Original contract price was $283,620.50;
Katherine Carrier moved approval of Change Order #1 received from Brooks Construction Co. for Resolution 6321-93. Motion carried. Copy on file.

22. Parking Lot Use Agreement for Three Rivers Festival for July 7 to 17 for Freimann Square Parking Lot, July 9 to July 17 for the Old Fort Parking Lot and July 1 to July 18 for City-County Building Parking Lot;
Katherine Carrier moved approval of the Parking Lot Use Agreement for Three Rivers Festival for the above mentioned dates. Motion carried. Forwarded to Linda Buskirk for her handling.

23. Revision to Agreement between the City of Fort Wayne and Bonar & Associates for preliminary engineering services to Ardmore Avenue, Lower Huntington Road to Indianapolis Road Project No. STP-024(5). Revision will not change the total contract fee or the geotechnical services not to exceed amount as originally approved;

David Ross, City Engineer, apprised the Board that INDOT has agreed to allow for a item for mobilization of the geotechnical services resulting in this minor revision to the Ardmore Avenue agreement.
Katherine Carrier moved approval of Revision to Agreement between the City of Fort Wayne and Bonar & Associates for preliminary engineering services to Ardmore Avenue, Lower Huntington Road to Indianapolis Road Project No. STP-024(5). Motion carried. Copy on file in vault.

24. Recommendation received from WPC Engineering to accept the work performed on Contract 91-S-44, 3815 East Sherwood Terrace Sanitary Sewer as an integral part of the City's sanitary sewer system;
Katherine Carrier moved approval of recommendation from WPC Engineering to accept the work performed on Contract 91-S-44. Motion carried. Acceptance letter to be sent to Dehner Construction.

25. Revolving Barrett Law Claims in the amount of $29,766.35.
Katherine Carrier moved approval of Revolving Barrett Law Claims. Motion carried. Claims approved and forwarded to Barrett Law for their handling.

26. Claims in the amount of $1,690,426.23.
Katherine Carrier moved approval of claims in the amount of $29,766.35. Motion carried. Claims forwarded to General Accounting for their handling.

27. Taxi Cab License Renewal David H. Elliott;
Katherine Carrier moved to approve the recommendation of Police Chief Neil Moore to deny the Taxi Cab License Renewal for David H. Elliott. Motion carried. Denial letter to be sent to David H. Elliott.

28. Taxi Cab License Applicant Billy L. Dennis, Roger D. Haupert and Jack W. Miller;
Katherine Carrier moved approval of Taxi Cab License Applicants Billy L. Dennis, Roger D. Haupert and Jack W. Miller. Motion carried. Taxi Cab Licenses to be issued.

29. Taxi Cab Company Application received from Ambassador Taxi Company;
Katherine Carrier moved approval of Taxi Cab Company Application received from Ambassador Taxi Company pending the applicant meeting all requirements within 30 days. Motion carried. License approved upon receipt of required documents.

32. Old Business:

Katherine Carrier inquired about when the Board would be discussing the Resolution Concerning Technical Services increasing their hourly rate. Charles Layton informed her that this matter would be on the agenda next week.

33. New Business:

None:

Meeting adjourned at 10:00 a.m.

Charles E. Layton, Director

Kath A Carr
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 2, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESSENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick, Board of Public Works; Betsy Meyer, Barrett Law and Ray Wigfield, Al Frisinger and Pat Callahan, WPC Engineering. C. James Owen, absent.

1. Notice of Property Owners - Sewer Easement Resolution 211-94 for the Condemnation of Permanent and Temporary Easement - Blum - Innsbruck Sanitary Sewer.
   Katherine Carrier moved to confirm Sewer Easement Resolution 211-94. Motion carried. Resolution confirmed.

Hearing adjourned at 10:45 a.m.

Charles E. Layton, Director

Kath A. Carri
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 9, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Ann Smith & Dave Ross, City Engineering; Charles Bailey & Walter Jordan, Contract Compliance; Terry Atherton, Utility Administration; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Loren Kravig & Ron Fletcher, Redevelopment; Pat Callahan & Mike Thornson, WPC Engineering; Don Bodecker, Technical Services; Rick Orr, Right-of-Way and Barb Nussa, Solid Waste Manager.

1. AWARD: Resolution 6327-94, Tillman Road Resurfacing - John Street to Stellhorn Bridge to Brooks Construction Co. in the amount of $150,678.00 (CEDIT BOND);
   Jim Owen moved approval of Award for Resolution 6327-94 to Brooks Construction in the amount of $150,678.00. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

2. AWARD: Resolution 924-1993, Blum-Innsbruck Sanitary Sewer Extension to Underground Contractors, Inc. in the amount of $32,572.00 (SEWER UTILITY/REVOLVING BARRETT LAW);
   Katherine Carrier moved approval of Award for Resolution 924-1993 Inc., to Underground Contractors, Inc., in the amount of $32,572.00. Motion carried. Notice of Award sent. WPC Engineering to prepare contracts.

3. Approval of Public Hearing Minutes of February 23, 1994;
   Jim Owen moved approval of Public Hearing Minutes of February 23, 1994. Motion carried. Public Hearing Minutes of February 23, 1994 approved as distributed.

4. Approval of Board Minutes of March 2, 1994 and Public Hearing Minutes of March 2, 1994;
   Katherine Carrier moved approval of Board of Public Works of March 2, 1994 and Public Hearing Minutes of March 2, 1994. Motion carried. Board of Public Works of March 2, 1994 and Public Hearing Minutes of March 2, 1994 approved as distributed.

5. Change Order 1 received from Mergy Construction Co. for Resolution 6310-93, W. Creighton (Webster to Hoagland) increasing the contract price by $3,120.86. Original contract price was $29,378.20;
   Katherine Carrier moved approval of Change Order 1 received from Mergy Construction Co. for Resolution 6310-93 increasing the contract price by $3,120.86. Motion carried. Copy on file.

6. Received recommendation from WPC Engineering to accept the work performed on Contract 93-S-11, Phelps Dodge Sanitary Sewer Reroute as an integral part of the City's sanitary sewer system;
   Katherine Carrier moved to accept the work performed on Contract 93-S-11. Motion carried. Acceptance letter sent to T-G Inc.

7. Received recommendation from WPC Engineering to accept the work performed on Resolution 504-93, Stony Run Creek Improvement Phase V as an integral part of the City's storm sewer system;
   Jim Owen moved to accept the work performed on Resolution 504-93. Motion carried. Acceptance letter sent to All Star Construction & Excavating.

8. Received Parking Lot Use Agreement from the Indiana State Chapter of the National Multiple Sclerosis Society to use Freimann Square Parking Lot beginning April 9, 1994 to April 10, 1994 at no charge. This is for MS Super Cities Walk;
   Katherine Carrier moved approval of Parking Lot Use Agreement from the Indiana State Chapter of the National Multiple Sclerosis Society to use Freimann Square Parking Lot beginning April 9, 1994 to April 10, 1994 at no charge. Motion carried. Fees to be waived.

9. RESOLUTION FOR THE ACQUISITION OF REAL ESTATE AND ESTABLISHING THE ACQUISITION AMOUNT FOR THE AREA TO BE KNOWN AS HEADWATERS PARK;

Loren Kravig, Redevelopment, apprised the Board of the following; the Redevelopment Commission is the agent in negotiation for the purchase of real estate, relocation, environmental remediation, demolition, and other functions in aid of acquisition and clearance for Headwaters Park. The Board of Public Works had previously adopted resolutions accepting the Redevelopment Commission's recommendation to acquire a total of 28 parcels for the project. The Redevelopment Commission has identified one additional parcel for acquisition and has retained two appraisers for the purpose of determining the market value of the real estate. The mamimum offering price for the parcel is established as the average of two appraisals.

The Redevelopment Commission recommends that the Board of Works accepts their recommendation to acquire this parcel.
Katherine Carrier moved approval of Resolution for the Acquisition of Real Estate and Establishing the Acquisition Amount for the Area to be Known as Headwaters Park. Motion carried. Copy herein incorporated.

10. **RESOLUTION** for the Board of Public Works to receive bids on April 20, 1994 for residential solid waste collection and disposal for a period of five (5) years commencing on January 1, 1995. Alternate proposals required are all curbside waste pickup, yard waste pickup, leaf pickup and community cleanup;

Barb Nussa, Solid Waste Manager, apprised the Board of the following; the City's contract with Waste Management of Fort Wayne expires at the end of the year. The City is seeking bids for a new five-year contract that could include several new features such as curbside waste pickup, yard waste pickup, leaf pickup and community cleanup.

All curbside waste pickup means trash would be collected from curbs only. Currently about two-thirds of the City's residential trash is placed in alleys.

Under a community cleanup program, bidders will submit the cost of providing workers and equipment to clean up alleys and other areas on week nights and on Saturdays.

Leaf and yard waste collection were included because some citizens are having a difficult time disposing of those items since the Allen County Solid Waste District banned leaves and yard waste from the county's landfills.

The staff will examine the costs and decide on what programs, if any, to offer.

The City can extend the current contract with Waste Management for one year.
Jim Owen moved approval of Resolution for the Board of Public Works to receive bids on April 20, 1994 for residential solid waste collection and disposal for a period of five (5) years commencing on January 1, 1995. Katherine Carrier abstained. Motion carried. Copy herein incorporated. Bids to be received.

11. **RESOLUTION CONCERNING TECHNICAL SERVICES** to be effective March 21, 1994;

Don Bodeker, Technical Services, stated that he had submitted profit and loss information to the Board and in addition he stated that the accounting departments had arrived at the same rate last year as the Technical Services staff.

Terry Atherton, Utility Administration, stated that his staff had no objection to the Technical Services rate increase but the only problem was numerous other charges from his staff to be adjusted that would be brought before the Board before May 1, 1994.

Mr. Bodeker then stated that in the future he would bring his rate increase to the Board after the Utility Administration had their charges approved.

Jim Owen commended Technical Services on their budgeting procedure adopted this year.
Jim Owen moved approval of Resolution Concerning Technical Services to be effective March 21, 1994. Motion carried. Copy herein incorporated.

12. Received Escrow Agreement from Scheidleman Excavating Inc. in connection with Resolution 925-1993, Haffner Drive Sanitary Sewer. Escrow Agent is NBD Bank;

Katherine Carrier moved approval of Escrow Agreement from Scheidleman Excavating, Inc. in connection with Resolution 925-1993, Haffner Drive Sanitary Sewer. Motion carried. Escrow Agreement forwarded to Escrow Agent NBD Bank. Copy on file.

13. Claims approval in the amount of $28,753,313.04.
Katherine Carrier moved approval of claims in the amount of $28,753,313.04. Motion carried. Claims forwarded to General Accounting for their handling.

14. Taxi Cab License Renewal Chester L. Reinking;
Jim Owen moved approval of Taxi Cab License Renewal Chester L. Reinking. Motion carried. License to be renewed.

15. Old Business:
Jim Owen inquired about the Emergency Resolution the Board of Public Works passed for soliciting quotes from contractors for the application of approximately 500 tons of cold mixed bituminous mixture for patching potholes and also the success of the two new pothole machines.

Charles Layton stated that the City contracted for 275 tons of asphalt. One hundred and seventy five tons has been put down with a roller and compressor and the contractor is holding off for better weather before the balance is put down. Brooks Construction received the bid.

Mr. Layton stated the price for each pothole patching machine was $39,000.

David Ross, City Engineer, stated that he understands that the machines purchased do an excellent job in repair but they take preparation, placement of material and then a cover seal. The patches being done by these machines are a more permanent type patch than the repairs done by throwing in cold mix and work more efficiently if the temperature is over 20 degrees.

Mr. Ross stated that he understands that Brooks Construction is doing an excellent job.

16. New Business:

Katherine Carrier asked why she was copied on the Bonar & Associates Preliminary Engineering Study for Pontiac and Wayne Trace.

David Ross, City Engineer, stated that this was informational material.

Meeting adjourned at 10:00 a.m.

Charles E. Layton, Director

Kath A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

March 9, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law and Roger Warner, Water Resources. Katherine A. Carrier, absent.

1. Notice of Property Owners - Resolution 1061-93, Paulding Road Water Main Extension.
   Jim Owen moved to confirm Resolution 1061-93. Motion carried. Resolution confirmed. Remonstrance period up March 21, 1994.

Hearing adjourned at 10:45 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law and Vic Bobay, Street Engineering. Katherine A. Carrier, absent.

1. Notice of Final Hearing for Confirmation of Assessment - Resolution 6284-92, Phase I Lincolnshire Addition - Curbface Walks, Driveways, Sub-Surface Drainage, Milling & Resurfacing of Street and Partial Storm Sewer Improvement - (Hollis Lane and Webster Street).

   A letter was read from Stephen E. Sullivan, 6216 Webster expressing his concern about the completion of the landscaping, the "dents" in the surface of the street and the lack of an estimate. Overall, he was satisfied with the project.

   Vic Bobay, Project Engineer, stated he was aware of the concerns listed above and that the contractor would address these problems as soon as the weather allows.

   Vic Bobay also stated that there was a problem with the sidewalks in as much as there is an abundance of slate in the aggregate material. Vic stated that he would also talk to the contractor regarding this problem. **Jim Owen moved to continue the Final Hearing for Confirmation of Assessment for Resolution 6284-92 until the above problems have been handled by the contractor to the satisfaction of the project engineer.**

Hearing continued.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

March 16, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Douglas Lehman, Dept. of Finance; Ann Smith, City Eng.; Sandy Maldeney, Property Manager; Tim Warren, Water Resources; Wendy McDonnell & Sally Clem, City Utilities; Walter Jordan & Charles Bailey, Contract Compliance; Linda Powell, Assoc. City Atty.; Pat Callahan & Tom Pallone, WPC Eng.; Mary Jane Slaton, Public Information Office; Don McEvoy, Communications; Rick Orr, Right-of-Way; Terry Atherton, Utility Administration; Judy Black, New Water/Sewer Permits; Carl O'Neal, Transportation and John Stafford, Chamber of Commerce.

1. Approval of Board Minutes of March 9, 1994;
   Katherine Carrier moved approval of Board Minutes of March 9, 1994. Motion carried. Minutes approved as distributed.

2. Approval of two Public Hearing Minutes of March 9, 1994;
   Jim Owen moved approval of two Public Hearing Minutes of March 9, 1994. Motion carried. Minutes approved as distributed.

3. **RESOLUTION** Approving Transfer of Obsolete Communications Equipment to Fort Wayne Community Schools;

   Don McEvoy, Communications, apprised the Board of the following; this electrical relay and power supply equipment was part of the hardware of the old fire alarm boxes that were originally installed in the 40's and now are obsolete. Fort Wayne Community Schools has expressed an interest in using this equipment in their Career Center downtown. The total value is estimated at $25.00.
   Jim Owen moved approval of Resolution Approving Transfer of Obsolete Communications Equipment to Fort Wayne Community Schools. Motion carried. Copy herein incorporated.

4. **RESOLUTION** declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 34 Section 1 of Park State East Subdivision;

   Sandy Maldeney, Property Manager, apprised the Board of the following; the lots listed in items 4, 5, 6 and 7 are all in one addition and the City has received two appraisals on each. There will be a 30 day bid process. These lots were originally purchased with the assets of Inbalco in 1982.
   Jim Owen moved approval of Resolution declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 34 Section 1 of Park State East Subdivision. Motion carried. Copy herein incorporated.

5. **RESOLUTION** declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 67 in Section 2 of Park State East Subdivision;
   Jim Owen moved approval of Resolution declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 67 in Section 2 of Park State East Subdivision. Motion carried. Copy herein incorporated.

6. **RESOLUTION** declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 29 in Park State East Extended, Section A, Subdivision;
   Jim Owen moved approval of Resolution declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 29 in Park State East Extended, Section A, Subdivision. Motion carried. Copy herein incorporated.

7. **RESOLUTION** declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 108 in Section 3 of Park State East Subdivision;
   Jim Owen moved to approve RESOLUTION declaring the intent to sell real estate owned by the City of Fort Wayne in Lot 108 in Section 3 of Park State East Subdivision. Motion carried. Copy herein incorporated.

8. **AMENDED RESOLUTION** amending the date that the Board of Public Works receive bids for residential solid waste collection and disposal. The date to receive bids will be April 27, 1994 not April 20, 1994;
Jim Owen moved approval of Amended Resolution amending the date that the Board of Public Works receive bids for residential solid waste collection and disposal to April 27, 1994. Motion carried. Copy herein incorporated.

9. **EMERGENCY RESOLUTION** for repair of combination sewer in the 100 block of W. Rudisill;

Tom Pallone, WPC Engineering, apprised the Board of the following; an existing 18" combination sewer in the alley South of the 100 block of W. Rudisill Blvd. has collapsed and is restricting normal flow of sewage and the repair of the sewer is beyond capability of Water Pollution Control Maintenance Department to perform. The WPC Staff requested the Board of Public Works declare that an emergency exists for said sewer repair and requests the Purchasing Department to issue an emergency purchase order to the contractor chosen for said repair.

Charles Bailey, Contract Compliance, reminded engineers to notify the Contract Compliance Department when emergencies arise so they can request the a wage scale from State of Indiana for that project.
Katherine Carrier moved approval of Emergency Resolution for repair of combination sewer in the 100 block of W. Rudisill. Motion carried. Copy herein incorporated.

10. **RESOLUTION** RE GTE TELEPHONE INSTRUMENTS;

Douglas Lehman, Department of Finance, apprised the Board of the following: agenda items 10, 11, 12, 13. 14, 15 and 16 are in connection with presentation he presented and resolutions passed by the Board of Public Works on March 2, 1994 approving updating the telecommunications system for City Government offices.

The contracts in connection with these resolutions will be introduced to Council on March 22, 1995.

Item 10 is a resolution for GTE digital telephone instruments and consoles and the cost is $197,268.00 and will include 850 instruments.
Jim Owen moved approval of Resolution regarding GTE Telephone Instruments. Motion carried. Copy herein incorporated.

11. **RESOLUTION** RE GTE EXTERNAL FIBER OPTIC CABLE;

Douglas Lehman, Department of Finance, stated that this resolution is for an emergency fiber optic cable contract with GTE and the cost is $254,583.00.
Jim Owen moved approval of Resolution regarding GTE External Fiber Optic Cable. Motion carried. Copy herein incorporated.

12. **RESOLUTION** RE GTE INTERNAL FIBER BACKBONE;

Douglas Lehman, Department of Finance, stated that this resolution is for an internal fiber optic cable contract with GTE for both the City-County Building and the Police Operations Center and the cost is $82,200.00.
Jim Owen moved approval of Resolution regarding GTE Internal Fiber Backbone. Motion carried. Copy herein incorporated.

13. **RESOLUTION** RE UNITED TELECOMMUNICATIONS VOICE MAIL;

Douglas Lehman, Department of Finance, stated that this resolution is for a Centigram voice mail system contract with United Telecommunications and the cost is $83,320.00.
Jim Owen moved approval of Resolution regarding United Telecommunications Voice Mail. Motion carried. Copy herein incorporated.

14. **RESOLUTION** RE GTE ACD SYSTEM;

Douglas Lehman, Department of Finance, stated that this resolution is a Telequent ACD system contract with GTE. The cost is 67,247.00.
Jim Owen moved approval of Resolution regarding GTE ACD System. Motion carried. Copy herein incorporated.

15. **RESOLUTION** RE GTE CALL ACCOUNTING SYSTEM;

Douglas Lehman, Department of Finance, stated that this resolution is for an Orbitel call accounting system contract with GTE and the cost is $36,890.00.
Jim Owen moved approval of Resolution regarding GTE Call Accounting System. Motion carried. Copy herein incorporated.

16. **RESOLUTION** RE GTE PATCH CORDS;

    Douglas Lehman, Department of Finance, stated that his resolution is for fiber optic patch cords contract with GTE. This cost is for $37,725.00. **Jim Owen moved approval of Resolution regarding GTE Patch Cords. Motion carried. Copy herein incorporated.**

17. Received Request for Waiver of Barricade Fees from the Indiana State Chapter of the National Multiple Sclerosis Society for a parade for the Multiple Sclerosis Super Cities Walk to be held on April 10, 1994;
    Katherine Carrier moved approval of Request for Waiver of Barricade Fees from the Indiana State Chapter of the National Multiple Sclerosis Society for a parage for the Multiple Sclerosis Super Cities Walk to be held on April 10, 1994. Motion carried. Fees to be waived.

18. Agreement between the Indiana Department of Transportation and the City for intersection improvement of Lake Avenue and Coliseum Blvd., Project No. STP-STPG-F480(002) (CEDIT BOND);

    Ann Smith, City Engineering, apprised the Board of the following; the estimated cost for the above project is $2,156.000.00. The City's share will be approximately $393,000.00 and has been approved in the Capitol Improvement Projects by Council. The project is scheduled for construction this summer and is Phase I of a long range plan.

    Carl Oneal, Transportation, presented to the board the detailed engineering aspects of this project.
    Jim Owen moved approval of Agreement between the Indiana Department of Transportation and the City for intersection improvement of Lake Avenue and Coliseum Blvd., Project No. STP-STPG-F480(002). Motion carried. Agreement forwarded to Indiana Department of Transportation for their execution. Executed copy to be placed in vault.

19. Sewer Contract 94-S-9 between Oakmont Development Co. and Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Eagle Lake Section V Sanitary Extension (PRIVATELY FUNDED);
    Katherine Carrier moved approval of Sewer Contract 94-S-9 between Oakmont Development Co. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

20. Taxi Cab License Applicant Sherrie Ann Ball;
    Jim Owen moved approval of Taxi Cab License Applicant Sherrie Ann Ball. Motion carried. License to be issued.

21. Revolving Barrett Law claims approval in the amount of $87,605.78.
    Katherine Carrier moved approval of Revolving Barrett Law claims in the amount of $87,605.78. Motion carried. Claims forwarded to Barrett Law Office for handling.

22. Claims approval in the amount of $1,320,415.18.
    Katherine Carrier moved approval of claims in the amount of $1,320,415.18. Motion carried. Claims forwarded to General Accounting for their handling.

23. Presentation by John Stafford, Chairman of City Utilities Citizens Advisory Committee;

    John Stafford apprised the Board of the following; the City Utilities Citizens Advisory Committee was established by Common Council through Ordinance No. G-31-93. The Committee consists of seven members. The purpose of the Committee is to identify and review opportunities for efficiency and cost-savings, including privatization, of all or part of the City of Fort Wayne utilities operations, and make recommendations on such opportunities to the Mayor, the Board of Public Works, and the Common Council. The committee shall provide progress reports to the Mayor and Common Council on at least a quarterly basis. A final report from said committee shall be submitted to the Common Council no later than September 1, 1994.

The Committee, with the approval of Board of Public Works and the Mayor, may utilize the services of an independent consultant to review the operations of the City's utilities operations and prepare a proposal for competitive bids for privatization. Any consultant employed for this purpose shall not be eligible to bid on a contract for privatizing any of those utility services.

The Committee exists solely to make recommendations and shall not have any authority to manage or direct operations of the City Utilities Departments or Division.

24. Old Business:

None.

25. New Business:

Km Owen inquired about how long traffic will be routed one-way on Calhoun Street in the downtown area.

Ann Smith, City Engineering, is to respond to the Board members on CEO.

Meeting adjourned at 10:00 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

March 16, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30** a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick, BOW; Jeff Grogg, Street Engineering and Betsy Meyer, Barrett Law. C. James Owen, absent.

1. Notice to Property Owners - Resolution 6324-94, Fairmont Place Addition Curb & Sidewalk Improvement Phase IV. Remonstrance period up March 28, 1994.

   A letter was read from Helen M. O'Connor, property owner of Lot 3, Branning's Addition objecting to the project.
   Katherine Carrier moved to confirm Resolution 6324-94. Motion carried. Remonstrance period up March 28, 1994.

Hearing adjourned at 10:50 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick, BOW; Denny Root, Street Engineering and Betsy Meyer, Barrett Law. C. James Owen, absent.

1. Notice to Property Owners - Resolution 6328-94, Lynn Avenue Improvement - California Avenue to Florida Avenue.

   Denny Root, Project Engineer, Street Engineering stated that Thomas G. Klapheke, 2401 Florida Drive, and Charles Lane, 1407 Lynn, will not have to pay for drive approaches because their drive approaches are fairly new. Mr. Root is also to check to see if there are other new drives and to notify Betsy Meyer so she can change assessments.
   Katherine Carrier moved to confirm Resolution 6328-94. Motion carried. Remonstrance period up March 28, 1994.

Hearing adjourned at 11:20 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 23, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Linda Buskirk, BOW; Walter Jordan & Charles Bailey, Contract Compliance; Terry Atherton & Deb Farrell, Utility Administration; Linda Powell, Staff Atty.; Neil Wisler, WPC Plant; Tim Warren, Water Resources; Mike Thornson & Pat Callahan, WPC Eng.; Mary Jane Slaten, Public Information and Andy Dodzik, Consulting Engineer. Katherine C. Carrier, absent.

1. **RECEIVE BIDS** - Resolution 6325-94, Collins Road - Speedway Drive to Coldwater Road Reconstruction (CEDIT BOND FUNDED)

Brooks Construction	$221,231.25
Wayne Asphalt	244,534.19
Eng. Est.	$380,000.00

Andy Dodzik, Consulting Engineer, to tabulate and report.

2. Approval of Board Minutes of March 16, 1994;
Jim Owen moved to approve Board Minutes of March 16, 1994 as amended. Motion carried. Minutes approved as amended.

3. Approval of two Public Hearing Minutes of March 16, 1994;
Jim Owen moved to table two Public Hearing Minutes of March 16, 1994. Motion carried. Public Hearing Minutes tabled.

4. Received letter from All Star Construction & Excavating requesting a sixty day extension of time on Resolution 926-1993, Hacienda Village Sanitary Sewer Extension Phase II;

   Pat Callahan, WPC Engineering, stated that the WPC staff had responded to All Star Construction & Excavating extending the time just until road conditions improve.
Jim Owen moved to remand this request to WPC Engineering for resolution. Motion carried. Request to be handled by WPC Engineering.

5. Received recommendation from Water Engineering to accept the work performed on Water Contract 9317, Three Rivers Federal Credit Union - Northland Blvd. Water Main as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Water Contract 9317 as an integral part of the City's water main system. Motion carried. Acceptance letter sent to Earth Construction, Inc.

6. Received recommendation from Water Engineering to accept the work performed on Water Contract 9227, Northland Blvd. Water Main Extension as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Water Contract 9227 as an integral part of the City's water main system. Motion carried. Acceptance letter sent to Earth Construction, Inc.

7. Agreement between the City of Fort Wayne and Indiana Construction Corporation for work to be performed on the Fort Wayne Water Pollution Control Plant Division I, Upgrade of Anaerobic Digesters in the amount of $2,823,750.00 (SEWER BOND);
Jim Owen moved approval of Agreement between the City of Fort Wayne and Indiana Construction Corporation for work to be performed on the Fort Wayne Water Pollution Control Plant Division I, Upgrade of Anaerobic Digesters in the amount of $2,823,750.00. Motion carried. Agreement approved subject to Councilmanic approval.

8. Agreement between the City of Fort Wayne and Bowen Engineering Corporation for work to be performed on the Fort Wayne Water Pollution Control Plant Division II, Sludge Thickening Facility in the amount of $2,488,000.00 (SEWER BOND);

Jim Owen moved to approve agreement between the City of Fort Wayne and Bowen Engineering Corporation for work to be performed on the Fort Wayne Water Pollution Control Plant Division II, Sludge Thickening Facility in the amount of $2,488,000.00. Motion carried. Agreement approved subject to Councilmanic approval.

9. Contract for Construction Engineering Services between the City and H.N.T.B. Engineers for Sludge Digestion Facilities Improvements and Waste Activated Sludge Thickening Facilities at the Fort Wayne Water Pollution Control Plant in the amount of $300,000.00 (SEWER BOND);
Jim Owen moved to approve contract for Construction Engineering Services between the City and H.N.T.B. Engineers for Sludge Digestion Facilities Improvements and Waste Activated Sludge Thickening Facilities at the Fort Wayne Water Pollution Control Plant in the amount of $300,000.00. Motion carried. Contract approved subject to Councilmanic approval.

10. Agreement between the City of Fort Wayne and Bonar & Associates for Resident Engineering Services, O & M Manual, Operator Training, and Post Construction Services for Construction of Division I, Upgrade of the Anaerobic Digesters and Division II, Sludge Thickening Facilities at the Fort Wayne Water Pollution Control Plant in the amount of $290,000.00. (SEWER BOND);
Jim Owen moved approval of agreement between the City of Fort Wayne and Bonar & Associates for Resident Engineering Services, O & M Manual, Operator Training, and Post Construction Services for Construction of Division I, Upgrade of the Anaerobic Digesters and Division II, Sludge Thickening Facilities at the Fort Wayne Water Pollution Control Plant in the amount of $290,000.00. Motion carried. Agreement approved subject to Councilmanic approval.

11. Letter to accept the Fort Wayne WPC Solids Modifications Automation EMA Contract for Software Services for Division I - Digester Modification at the Fort Wayne Water Pollution Control Plant. EMA offers services for time and materials not to exceed $89,800 (SEWER BOND);
Jim Owen moved to approve letter to accept the Fort Wayne WPC Solids Modifications Automation EMA Contract for Software Services for Division I - Digester Modification at the Fort Wayne Water Pollution Control Plant. EMA offers services for time and materials not to exceed $89,800. Motion carried. Copy on file in vault.

12. Contract 6327-94 between the City and Brooks Construction Co. for Tillman Road Resurfacing - John Street to Stellhorn Bridge in the amount of $150,678.00 (CEDIT BOND);
Jim Owen moved approval of Contract 6327-94 between the City and Brooks Construction Co. in the amount of $150,678.00. Motion carried. Contract approved subject to Councilmanic approval.

13. Sewer Contract 94-S-5 between the Cedar Glens Development Corporation and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Cedar Glens Section I Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-5 between the Cedar Glens Development Corporation and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

14. Revolving Barrett Law claims in the amount of $206.47;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $206.47. Motion carried. Claims forwarded to Barrett Law Office for their handling.

15. Claims approval in the amount of $2,975,765.53;
Jim Owen moved approval of claims in the amount of $2,975,765.53. Motion carried. Claims forwarded to General Accounting for their handling.

16. Taxi Cab License Applicant Eric John Hinsey;
Jim Owen moved approval of Taxi Cab License Applicant Eric John Hinsey. Motion carried. License to be issued.

17. Presentation by Linda Buskirk regarding a Request for Proposal to hire an environmental engineering consultant to prepare bid specifications for the removal, remediation and replacement of City underground fuel storage tanks, and to serve as contract manager for the removal;

Linda Buskirk, Administrative Assistant, Board of Works, apprised the Board of the following; the City of Fort Wayne is the owner of 61 underground storage tanks. It is the City's goal to remove as many of the tanks as possible and require most departments to utilize a central fueling facility. An in-house committee was formed several months ago to oversee this project and realized that they did not have the expertise needed. Therefore, the need was established to hire an environmental engineering consultant.

The consultant will do the following:

A. Help the City determine how many new tanks are needed and will design the new fueling site.

B. Prepare specifications and bid documents for removal and installation of storage tanks and furnish cost estimates for each phase of the project.

C. Secure all of the regulatory agency approvals for plans and specifications.

D. Administer the various contracts that will make up the overall project.

The consultant will be paid with proceeds from the Safety Bond Issue, the same source for funding for the overall project.

18. Old Business:

None.

19. New Business:

Jim Owen inquired about the development of the Master Plan for the WPC Plant.

I. Pat Callahan, WPC Engineering, apprised the Board of the following; there are 4 phases in the Master Plan.

   A. Data Collection
   B. Analysis
   C. Suggestion for solutions covered in the first two phases
   D. Compiling the Master Plan, prioritization, etc.

   The plan is divided into 3 general areas, storm water, WPC Plant and sanitary & combined sewer collection systems.

The consultant is to respond to all potential problems and then give a presentation to the Board within approximately 30 days.

II. Terry Atherton, Utility Administration, inquired if the Board would like to participate in the 1995 budget process for the Utilities and suggested one member of the Board to be a liaison or perhaps to segregate analysis of the budget and assign one Board member to each utility.
Jim Owen moved to take this information under advisement and respond at the next regular meeting. Motion carried. Katherine Carrier notified of the upcoming agenda item.

Meeting adjourned at 10:00 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 30, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, Ann Smith & David Ross, City Eng., Tim Warren, Water Resources; Rick Orr, Right-of-Way; Tom Manny, Traffic Engineering; Mary Jane Slaton, Public Information Office; Charles Bailey, Contract Compliance; Greg Purcell, Chief of Staff; Mike Thornson & Pat Callahan, WPC Engineering; Deb Farrell & Terry Atherton, Utility Admnistration; Linda Powell, Staff Attorney; Judy Black, New Water/Sewer Permits; Linda Buskirk, Board of Works; Douglas Lehman, Dept. of Finance and John Stafford, Chamber of Commerce.

1. AWARD: Resolution 6325-94, Collins Road - Speedway Drive to Coldwater Road Reconstruction to Brooks Construction Company, Inc. in the amount of $221,231.25 (CEDIT BOND); PRIOR APPROVAL REQUESTED;
   Katherine Carrier moved approval of Award of Resolution 6325-94 to Brooks Construction Company, Inc. in the amount of $221,231.25. Motion carried. Notice of Award to be sent to Brooks Construction. Bonar & Associates to prepare contracts. Prior approval sent to Common Council.

2. **RESOLUTION** TO HIRE CONSULTANT FOR CITY UTILITIES CITIZENS ADVISORY COMMITTEE;

   John Stafford, Chamber of Commerce, apprised the Board of the following; the City Utilities Citizens Advisory Committee has determined that it does not have the expertise to review and evaluate the operations of the Division of City Utilities or to make relevant proposals to the Common Council. The Committee solicited proposals from a number of qualified consultants and through the interview process determined that Wade Miller Associates, Inc. had submitted the best proposal for performing the necessary services.

   There will be three phases for the study. Phase I is Review of Utility Operations; Phase II is for Development of a Request for Proposals; Phase III is for Evaluation of Proposals.

   Wade Miller Associates has proposed to provide a Scope of Services for Phase I for a sum not to exceed $58,208.98.

   John Stafford also stated that the Committee will report to the Board prior to the presentation to Council by Wade Miller Associates on August 1, 1994.

   Jim Owen expressed concerns regarding duplication and effort and cost in regards to studies being done by other consultants.
   Katherine Carrier moved approval of Resolution to hire Consultant for City Utilities Advisory Committee. Motion carried. Copy herein incorporated.

3. Contract between the City of Fort Wayne by and through its Board of Public Works and Wade Miller Associates, Inc. for professional services to be rendered by WMA to the City Utilities Citizens Advisory Committee in the amount of $58,208.98;
   Katherine Carrier moved approval of Contract between the City of Fort Wayne by and through its Board of Public Works and Wade Miller Associates, Inc. for professional services to be rendered by WMA to the City Utilities Citizens Advisory Committee in the amount of $58,208.98. Motion carried. Copy on file.

4. Approval of two Public Hearing Minutes of March 16, 1994 (TABLED FROM LAST WEEK);
   Katherine Carrier moved approval of Public Hearing Minutes of March 16, 1994. Motion carried. Minutes approved as distributed.

5. Approval of Board Minutes of March 23, 1994;
   Jim Owen moved approval of Board Minutes of March 23, 1994. Motion carried. Minutes approved as distributed.

6. **IMPROVEMENT RESOLUTION 6333-94,** Coldwater Road: Coliseum Blvd. to Collins Road Right Turn Lane for southbound traffic including pavement, curbs, sidewalks, street lighting, traffic signals, storm sewers and pavement markings (REDEVELOPMENT COMMISSION);
Jim Owen moved approval of Improvement Resolution 6333-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/1/94 and 4/8/94 with date to receive bids 4/20/94.

7. **IMPROVEMENT RESOLUTION 6334-94,** Rudisill/Plaza Neighborhood Sidewalk Reconstruction, partial sidewalk and wingwalk reconstruction (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6334-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/1/94 and 4/8/94 with date to received bids 4/20/94.

8. Approval of Access Standards Manual Update. New standards will be used in development and improvement of accesses (driveways, entrances, exits) in public right-of-way;

   David Ross, City Engineer, apprised the Board of the following; the Access Standards Manual Update being used now has not been updated since the 1980's. The new proposed manual is being used by Indiana Department of Transportation, Allen County, New Haven, and other governmental agencies. It would give developers more specific concepts.
Jim Owen moved to accept the update given by David Ross for consideration and put the Access Standards Manual Update for approval on agenda at a later date. Motion carried. Manual to be approved at later date.

9. Received recommendation from WPC Engineering to accept the work performed on Sanitary Sewer Contract 93-S-34, Fieldstone Addition Sanitary Sewer Improvement as an integral part of the City's sanitary sewer system;
Jim Owen moved approval of recommendation from WPC Engineering to accept the work performed on Sanitary Sewer Contract 93-S-34. Motion carried. Acceptance letter sent to Brooks Construction Company, Inc.

10. Received request from Tom Martin requesting a 1 acre Area Connection Fee Assessment on Wallen Road immediately west of the Wallen Hills subdivision;
Jim Owen moved approval of request from Tom Martin for deferrment of 1 acre Area Connection Fee Assessment on Walden Road immediately west of the Wallen Hills subdivison. Motion carried. Assessment deferred.

11. Sewer Reimbursement to North Eastern Construction Co., Inc., 6700 E. State Blvd. in the amount of $1,051.90 collected from Taylor Chapel United Methodist Church (Church and Parsonage) located at 10145 and 10239 Maysville Road under Sewer Agreement 92-S-42;
Katherine Carrier moved approval of Sewer Reimbursement to North Eastern Construction Co., Inc., 6700 E. State Blvd. in the amount of $1,051.90 collected from Taylor Chapel United Methodist Church. Motion carried. Sewer Reimbursement forwarded to New Water/Sewer Permits for their handling.

12. Received from Street Light Engineering Neighborhood Request for Additional Street Lights:

FIRST DISTRICT	COST ($)
400-1700 E. Wayne Street	$ 7,200.00
Berkley Avenue	3,800.00
Delaware Avenue	2,800.00
Madiera Drive	7,500.00
Forest Drive	6,800.00
Reed Road	9,600.00
Bennington Drive	12,000.00
100 E. Dewald Street	1,200.00
3700 Schele Avenue	600.00
Herbert Street	1,300.00
3030 S. Lafayette	600.00

SECOND DISTRICT	COST ($)
South Drive	$ 5,500.00
Castell Drive	1,800.00
Kenwood Avenue	1,500.00

THIRD DISTRICT	COST ($)
Butler Road	$ 6,000.00

FOURTH DISTRICT	COST ($)
Ontario Street	$ 1,700.00

FIFTH DISTRICT	COST ($)
Southdale Drive	$ 3,800.00
4900 Warsaw Street	1,800.00
6100-6300 S. Hanna Street	1,900.00
700-800 Packard Street	3,500.00
S. Webster Street	3,000.00
200-300 W. Butler Street	3,100.00
900 Kinnaird Avenue	1,900.00
700-800 Cottage Avenue	1,700.00
5900-6200 Fairfield Avenue	3,800.00
1115-1117 Home Avenue	200.00
4107-4115 Indiana Avenue	200.00
100-200 W. Gerke Avenue	1,300.00
1312 Taylor Street	600.00
Nelson Street	1,200.00
Buell Drive	2,800.00

SIXTH DISTRICT	COST ($)
Southwick Village	$41,000.00
Gathings Drive	3,600.00

Ann Smith, City Engineering, apprised the Board that the above listed street lighting projects are a result of petitions on file in the Board of Works that were received from property owners. This list of street lighting projects were chosen by Council Members as CEDIT Neighborhood projects.
Katherine Carrier moved approval of Street Light Engineering Neighborhood Request for additional street lights. Motion carried. Street Lights to be installed.

13. Encroachment License Agreement received from Richard Langeland, Owner of Langeland Motors. This was presented before and not approved. An alternate landscape improvements proposal was presented to Mr. Langeland by Tom Cain, Urban Design. This proposal was accepted by Mr. Langeland; **Jim Owen moved approval of Encroachment License Agreement received from Richard Langeland, Owner of Langeland Motors. Motion carried. Encroachment License Agreement forwarded to the Recorders Office for recordation.**

14. Claims approval in the amount of $3,229,856.90.
Katherine Carrier moved approval of claims in the amount of $3,229,856.90. Motion carried. Claims forwarded to General Accounting for their handling.

15. Taxi Cab License Renewal Kenneth R. Jones;
Jim Owen moved approval of Taxi Cab License Renewal Kenneth R. Jones. Motion carried. License renewed.

16. RESOLUTION RE CIVIC CENTER GARAGE 1 RATES;

    Douglas Lehman, Department of Finance, apprised the Board of the following; the City of Fort Wayne completed the 1993 audit of the Parking Administration Fund and its Garage 1 cost center. The City applied the contractual formulas in its contract with I & M and NBD to arrive at a rate of increase of 49.8%. The City of Fort Wayne has not increased parking rates in Garage 1 since it began operation in 1980. **Katherine Carrier moved approval of Resolution RE Civic Center Garage 1 Rates. Motion carried. Copy herein incorporated. Rates to be approved subject to Councilmanic approval.**

17. Old Business:

    Terry Atherton, Utility Administration, inquired about the Board's decision in being involved in the 1995 budget process for the Utilities.

    After a brief discussion, it was decided that Jim Owen would be involved with Water Utility, Katherine Carrier, Sanitary Sewers and Charles Layton, Storm Drainage.

18. New Business:

None:

Meeting adjourned at 10:10 a.m,

Charles E. Layton, Director

Kath A. Carr

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

April 6, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick and Linda Buskirk, Carolyn Newport, Board of Public Works; R. David Boyer, Assoc. City Attorney; Pat Callahan & Mike Thornson, WPC Engineering; Rick Orr, Right-of-Way; Tim Warren, Water Resources and Charles Bailey, Contract Compliance. C. James Owen, absent.

1. Approval of Board Minutes of March 30, 1994;
Katherine A. Carrier moved approval of Board Minutes of March 30, 1994. Motion carried. Minutes approved as distributed.

2. **AMENDED RESOLUTION** to approve the following costs of issuance of City of Fort Wayne, Indiana Sewage Works Junior Revenue Bonds:

Barnes & Thornburg	$30,000
Local Counsel, Helmke, Beams, Boyer & Wagner	18,000
Municipal Consultants	24,993
Moody's Rating Fee	7,000
Standard & Poor's Rating Fee	6,700

Katherine Carrier moved approval of Amended Resolution to approve the above costs of issuance of City of Fort Wayne, Indiana Sewage Works Junior Revenue Bonds. Motion carried. Copy herein incorporated.

3. **IMPROVEMENT RESOLUTION 6330-94,** Oakland Street Improvement, Greenlawn Avenue to Margaret Avenue for reconstruction of curbs, driveway approaches, curb ramps, sidewalks and rehabilitate storm sewer structures (REVOLVING BARRETT LAW/CEDIT NEIGHBORHOOD);
Katherine Carrier moved approval of Improvement Resolution 6330-94. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners 4/15/94 with date for hearing to be held on 4/27/94.

4. **IMPROVEMENT RESOLUTION 6332-94,** Hanna Street Improvements, combined sewer reconnection, resurfacing, curb & sidewalk replacement, curb ramps, surface milling and other miscellaneous items (CEDIT BOND & SEWER UTILITY);
Katherine Carrier moved approval of Improvement Resolution 6332-94. Motion carried. Copy herein incorporated. Advertisement for Notice to Contractors to be scheduled at a later date.

5. **IMPROVEMENT RESOLUTION 6336-94,** Stafford Drive - Sherborne Blvd. to Bolton Drive, pavement removal, partial new curbs, wing walks and resurfacing (CEDIT NEIGHBORHOOD);
Katherine Carrier moved approval of Improvement Resolution 6336-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/8 and 4/15/94 with date to receive bids on 4/27/94.

6. Received recommendation from Water Engineering to accept the work performed on Contract 9310, Fieldstone Place and Contract 92-02, Alma Avenue Water Main Replacement as an integral part of the City's water main system;
Katherine Carrier moved to accept the work performed on Contract 9310 and Contract 92-02 as an integral part of the City's water main system. Motion carried. Acceptance letters to be sent to respective contractors.

7. Sewer Contract 94-S-2 between Griggs Limited A General Partnership and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Grand Rental Station Sanitary Reroute at 1411 Coliseum (PRIVATELY FUNDED);
Katherine Carrier moved approval of Sewer Contract 94-S-2 between Griggs Limited A Partnership and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. Sewer Contract 924-1993 between Underground Contractors, Inc. and the City of Fort Wayne for Blum-Innsbruck Sanitary Sewer Extension in the amount of $32,572.00 (SEWER UTILITY);

Katherine Carrier moved approval of Sewer Contract 924-1993 between Underground Contractors, Inc. and the City of Fort Wayne. Motion carried. Notice to Proceed sent.

9. Water Contract 9403 between W. L. Anderson Development and the Fort Wayne Water Utility to construct water main systems to serve Westwood North Section IV (PRIVATELY FUNDED);
Katherine Carrier moved approval of Water Contract 9403 between W. L. Anderson Development and the Fort Wayne Water Utility. Motion carried. Copy on file.

10. Received Parking Lot Use Agreement from United Hispanic Americans, Inc. to use Freimann Square Parking Lot beginning September 8, 1994 until September 10, 1994. Total charges of $248.00;
Katherine Carrier moved approval of Parking Lot Use Agreement from United Hispanic Americans, Inc. to use Freimann Square Parking Lot beginning September 8, 1994 until September 10, 1994 for a total charge of $248.00. Motion carried. Copy on file.

11. Received request for Waiver of Barricade Fees from the Three Rivers Festival Executive Board, Inc. requesting waivers for the following Three Rivers Festival Events:

Opening Day Parade - Saturday, July 9, 1994
Three Rivers Festival of the Arts
Saturday, July 9 and Sunday, July 10, 1994
Emporium - July 9 through July 17, 1994
Club TRF - July 12 through July 16, 1994
TRF Children's Fest
Friday, July 15 and Saturday, July 16, 1994
TRF Fireworks Finale
Sunday, July 17, 1994 (Rain date July 18, 1994)
WOWO Lawnmower National, July 10, 1994
Katherine Carrier moved approval of Waiver of Barricade Fees from the Three Rivers Festival Executive Board, Inc. requesting waivers for the above Three Rivers Festival Events. Motion carried. Fees to be waived.

12. Change Order #1 received from T-G Incorporated for Contract 507-1993, Third Street - Franklin Avenue Combination Sewer Reconstruction increasing the contract price by $4,179.00. Original contract price was $286,950.50.
Katherine Carrier moved approval of Change Order #1 from T-G Incorporated for Contract 507-1993 increasing the contract price by $4,179.00. Motion carried. Contract to be increased.

13. Claims approval in the amount of $3,789,166.56;
Katherine Carrier moved approval of claims in the amount $3,789,166.56. Motion carried. Claims forwarded to General Accounting for payment.

14. Application for Taxi Permit for Day-Taxi;
Katherine Carrier moved approval of Application for Taxi Permit for Day-Taxi pending the applicant meeting all requirements within 30 days. Motion carried. Application approved upon receipt of required documents.

15. Taxi Cab License Renewal Kenton L. Ganger;
Katherine Carrier approved Taxi Cab License Renewal Kenton L. Ganger. Motion carried. License to be renewed.

16. Taxi Cab Applicant Dale H. Harvey;
Katherine Carrier approved Taxi Cab Applicant Dale H. Harvey. Motion carried. License to be issued.

17. Taxi Cab Applicant Susan K. Maag;
Katherine Carrier approved Taxi Cab Applicant Susan K. Maag. Motion carried. License to be issued.

18. Old Business:

None.

19. New Business:

Katherine Carrier inquired about how citizens are being informed of yard waste disposal.

Charles Layton stated that the Allen County Solid Waste District had lifted the ban on yard waste disposal being picked up by Waste Management and the media is apprising citizens of the changes. He also stated that the hours of the composting sites have been increased.

Meeting adjourned at 9:25 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

April 6, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30** a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick, Board of Public Works; Tim Warren, Roger Warner and Rick Seals, Water Resources and Betsy Meyer, Barrett Law. C. James Owen, absent.

1. Notice to Property Owners - Resolution 1062-94, Seddlemeyer Avenue Water Main Extension.
   Katherine Carrier moved to confirm Resolution 1062-94. Motion carried. Resolution confirmed. Remonstrance period up April 18, 1994.

Hearing adjourned at 10:50 a.m.

Charles E. Layton, Director

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 13, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick; BOW, Ann Smith & David Ross, City Engineering; Mary Jane Slaton, Public Information Office; Tim Warren, Water Resources; Mike Thornson & Pat Callahan, WPC Engineering; Walter Jordan, Contract Compliance; Tom Manny, Traffic Engineering, R. David Boyer, Assoc. City Attorney; Terry Atherton, Utility Administration and two students from Indiana University-Purdue University at Fort Wayne. Katherine A. Carrier, absent.

1. Receive, open and refer to the City Engineer's office for review and recommendation of proposals for engineering services for Illinois Road;

   RFP's were received from the following:

   Woolpert
   GAI Consultants
   MSE Corporation
   Clyde E. Williams & Assoc. Inc.
   Bonar & Associates
   American Consulting Engineers, Inc.
   Maurer, McGillem, Lochmueller Engineers, Inc.
   Beam, Longest, Neff, Inc.
   Congdon & Associates, Inc.
   City Engineering to review and make recommendation to the Board.

2. Approval of Board Minutes of April 6, 1994;
   Jim Owen moved to table Board Minutes of April 6, 1994. Motion carried. Minutes tabled for one week.

3. Approval of Public Hearing Minutes of April 6, 1994;
   Jim Owen moved to table Public Hearing Minutes of April 6, 1994. Motion carried. Minutes tabled for one week.

4. Change Order 1 received from Key Concrete for Resolution 6315-93, Douglas Avenue/Buell Drive Improvement decreasing the contract price by $785.58. Original contract price was $13,259.84;
   Jim Owen moved approval of Change Order 1 received from Key Concrete for Resolution 6315-93 decreasing the contract price by $785.58. Motion carried. Copy on file.

5. Received request from Joseph L. Haifley to use the plot of ground directly behind 1001 North Anthony Blvd. for gardening purposes. This is in the Anthony Blvd. Place Addition. This is for the period beginning on the 1st day of April 1994 and ending on the 31st day of October, 1994;
   Jim Owen moved approval of request from Joseph L. Haifley to use the plot of ground directly behind 1001 North Anthony Blvd. for gardening purposes. Motion carried. Approval letter sent.

6. Receive recommendation from Water Engineering regarding Eicher Drive to hold this project off until funds are available to help share the cost of this project. This was tabled on March 2, 1994 to get further input from property owners;

   Pat Callahan, WPC Engineering, stated that five of the nine property owners returned ballots choosing not to have the main extended until funds are available.
   Jim Owen moved to concur with recommendation from Water Engineering regarding Eicher Drive to hold this project off until funds are available to help share the cost of this project. Motion carried. Project to be delayed pending funding.

7. Escrow Agreement between the City and Indiana Construction Corp. in connection with the Water Pollution Control Plant Division I, Upgrade of Anaerobic Digesters. Escrow agent is Fort Wayne National Bank;

Jim Owen moved approval of Escrow Agreement between the City and Indiana Construction Corp in connection with Water Pollution Control Plant Division I, Upgrade of Anaerobic Digesters. Motion carried. Copy on file.

8. **IMPROVEMENT RESOLUTION 6335-94,** Ludwig Road - Lima Road to Coldwater Road by resurfacing Ludwig Road between east edge of pavement of Lima Road to west edge of pavement of Coldwater Road including a de-acceleration lane on Coldwater Road (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6335-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/15 & 4/22/94 with date to receive bids 5/4/94.

9. Traffic Signal Maintenance Agreement between the City and Indiana Department of Transportation for signal maintenance on State Routes within the City. This agreement has been reviewed by Traffic Engineering Department and they recommend approval;

   Tom Manny, Traffic Engineer apprised the Board of the following; there are 79 units that we now maintain for the state. The contract is renewed on an annual basis and as new signals are brought into the system they are automatically added. Under this contract the City will receive 25% more reimbursement per month from the state than previously received.
Jim Owen moved approval of Traffic Signal Maintenance between the City and Indiana Department of Transportation for signal maintenance on State Routes within the City. Motion carried. Copy on file.

10. Parking Lot Use Agreement between the City and Fort Wayne Track Club for Bicentennial Races to use Freimann Square Parking Lot beginning October 8, 1994 and ending on October 8, 1994. This is a City of Fort Wayne Official Bicentennial event so this event is exempt from the fee;
Jim Owen moved approval of Parking Lot Use Agreement between the City and Fort Wayne Track Club for Bicentennial Races to use Freimann Square Parking Lot beginning October 8, 1994 and ending on October 8, 1994. Motion carried. Fee to be waived.

11. Hold Harmless Agreement between the City and Wilbur M. Knipstein, in cooperation with the South Side Business Group for a period beginning April 13, 1994 and continuing through November 30, 1994 to conduct a beautification project on city-owned right-of-way property on the northeast corner of Tillman Road and Gary Street;
Jim Owen moved approval of Hold Harmless Agreement between the City and Wilbur M. Knipstein. Motion carried. Copy on file.

12. Revolving Barrett Law claims approval in the amount of $242.92;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $242.92. Motion carried. Revolving Barrett Law claims approved and forwarded to the Barrett Law Office for payment.

13. Claims approval in the amount of $3,910,002.10;
Jim Owen moved approval of claims in the amount of $3,910,002.10. Motion carried. Claims approved and forwarded to General Accounting for payment.

14. Taxi Cab License Applicant Richard W. Burridge;
Jim Owen moved approval of Taxi Cab License Applicant Richard W. Burridge. Motion carried. License to be issued.

15. Old Business; None.

16. New Business; None.

Meeting adjourned at 9:20 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

April 20, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, R. David Boyer, Assoc. City Atty.; David Ross & Ann Smith, City Engineering; Tom Manny, Traffic Eng.; Tim Warren, Water Resources; Rick Orr, Right-of-Way; Wayne O'Brien, C&ED; Pat Callahan, Tom Pallone & Mike Thornson, WPC Eng., Terry Atherton & Deb Farrell, Utility Administration; Walter Jordan, Contract Compliance, Linda Powell, Staff Attorney, David Rabadeux, Westwood Valley Neighborhood Association Vice President and Ron Dick, Architect.

1. **RECEIVE BIDS** - Resolution 6333-94, Coldwater Road: Coliseum Blvd. to Collins Road (Redevelopment Commission)

Brooks Construction	309,556.89
Dehner Construction	362,835.75
Eng. Est.	$341,000.00

Andy Dodzik, Consultant, to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6334-94, Rudisill/Plaza Neighborhood Sidewalk Reconstruction (CEDIT NEIGHBORHOOD)

Dehner Construction	59,204.45
Key Concrete, Inc.	46,540.50
Mergy Construction	49,251.00
Newell Construction	45,775.00
Tomco Construction	45,542.00
Eng. Est.	$44,348.50

Street Engineering to tabulate and report.

3. Approval of Board Minutes of April 6, 1994;
Katherine Carrier moved approval of Board Minutes of April 6, 1994. Motion carried. Minutes approved as distributed.

4. Approval of Public Hearing Minutes of April 6, 1994;
Katherine Carrier moved approval of Public Hearing Minutes of April 6, 1994. Motion carried. Public Hearing Minutes approved as distributed.

5. Approval of Board Minutes of April 13, 1994;
Jim Owen moved approval of Board Minutes of April 13, 1994. Motion carried. Minutes approved as distributed.

6. **EMERGENCY RESOLUTION** to repair existing 15" combination sewer in the alley South of the 1200 block of West Oakdale Drive which collapsed and is restricting normal flow of sewage;

   Tom Pallone, WPC Engineering, apprised the Board of the following; this 15" sewer is beyond the capability of Water Pollution Control Maintenance to perform. Dehner Construction Inc., Bercot-Gibson Construction Co., Inc., Liberty Construction, Inc., and T-G Incorporated were invited to submit quotes.
   Jim Owen moved approval of Emergency Resolution to repair existing 15" combination sewer in the alley South of the 1200 block of West Oakdale. Motion carried. Purchasing Department to issue an Emergency Purchase Order to the contractor chosen for said repair.

7. **IMPROVEMENT RESOLUTION 6337-94**, Washington Center Road Intersection Improvements by adding left turn lanes - Washington Center Road from Dartmouth Drive to Clinton Street (CEDIT BOND);
Katherine Carrier moved approval of Improvement Resolution 6337-94. Motion carried. Copy herein incorporated.

8. **IMPROVEMENT RESOLUTION 6331-94**, E. State Blvd. - Parnell Avenue to Santa Rosa Drive and Randallia Drive - E. State Blvd. to Lake Avenue Improvement (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6331-94. Motion carried. Copy herein incorporated.

9. **RESOLUTION** for vacation of east/west alley north of West Foster Parkway, south of W. Rudisill between Buell Drive and Hoagland Avenue. Various departments have reviewed this and approve;

Wayne O'Brien, C&ED, stated that the reason the petitioners want the alley closed is because of vehicle break-ins and burglaries and that the north-south portion would still remain open as a public alley.
Katherine Carrier moved approval of Resolution for vacation of east/west alley north of West Foster Parkway, south of W. Rudisill between Buell Drive and Hoagland Avenue. Motion carried. Copy on file.

10. Auto Liability and General Liability Claims in the amount of $44,383.47 per City Ordinance G-18-89;
Katherine Carrier moved approval of Auto Liability and General Liability Claims in the amount of $44,383.47. Motion carried. Claims forwarded to Risk Management for handling.

11. Received recommendation from WPC Engineering to accept the work performed on Contract 93-S-51, Three Rivers Federal Credit Union Sanitary Sewer Extension as an integral part of the City's sanitary sewer system;
Katherine Carrier moved to accept the work performed on Contract 93-S-51 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter sent to Earth Construction, Inc.

12. Encroachment License Agreement between the City and Westwood Valley Neighborhood Association to place upon right-of-way wooden stairs into its common area landlocked behind the homes on the north side of Overlook Drive in Westwood Valley. Various departments have approved;

David Rabaduex, Vice President of Westwood Valley Neighborhood Association, apprised the Board of the following; the association would like to construct these stairs for the use of older residents who find it difficult to negotiate the hill as it stands now. The association will offset the stairs to the west in order to allow vehicles and other equipment as necessary into the park for either utility maintenance or neighborhood association maintenance of the ten acres of park. This will leave an open easement of approximately sixteen feet on the east side of the concrete pad.

The neighborhood association is willing to accept liability for the stairs.
Jim Owen moved approval of Encroachment License Agreement between the City and Westwood Valley Neighborhood Association to place upon right-of-way wooden stairs behind the homes on north side of Overlook Drive in Westwood Valley. Motion carried. Copy on file.

13. Encroachment License Agreement between the City and Lincoln National Corporation for building construction of a Day Care Facility to encroach into the right-of-way of an existing alley. Various departments have approved;

Ron Dick, Architect, apprised the Board of the following; this encroachment document is intended to serve in the interim time as this alley is vacated. Currently, the vacation process has begun with City Plan Department. This is located in the 300 block of Lewis bounded by Lewis, Douglas and McClellan.
Jim Owen moved approval of Encroachment License Agreement between the City and Lincoln National Corporation for building construction of a Day Care Facility to encroach into the right-of-way of an existing alley. Motion carried. Copy on file.

14. Contract for Consulting Services between the City and EMA Services, Inc. for Fort Wayne Filtration Plant Automation High Service Pump Design Documentation not to exceed $66,000. (UTILITY BUDGET);

Terry Atherton, Utility Administration, apprised the Board of the following; this agreement is for the next phase of the multi-year and authorizes EMA to proceed with the detailed design documentation of the pumps electrical equipment and required controls.

This work was anticipated and was budgeted in the 1994 Capital Budget.
Jim Owen moved approval of Contract for Consulting Services between the City and EMA Services, Inc. for Fort Wayne Filtration Plant Automation High Service Pump Design Documentation. Motion carried. Copy on file in vault.

14. Traffic Signal Agreement between the City of Fort Wayne and Shoppes of Coldwater, Inc. for installation of a fully actuated traffic signal system at the intersection of 100 E. Washington Center Road and Coldwater Crossing Entrance.

Tom Manny, Traffic Engineer, apprised the Board of the following; the developer shall pay for all signal material equipment and labor required to install the signals. All signal materials and equipment shall be of the type, models and make currently used and maintained by the City on City streets and shall be acceptable to its Traffic Engineering Department.
Jim Owen moved approval of Traffic Signal Agreement between the City of Fort Wayne and Shoppes of Coldwater, Inc. for installation of a fully actuated traffic signal system at the intersection of 100 E. Washington Center Road and Coldwater Crossing Entrance. Motion carried. Copy on file in vault.

15. Revolving Barrett Law Claims in the amount of $11,669.60.
Katherine Carrier moved approval of Revolving Barrett Law Claims in the amount of $11,669.60. Motion carried. Claims forwarded to Barrett Law Office for payment.

16. Claims approval in the amount of $6,555,161.16.
Katherine Carrier moved approval of Claims in the amount of $6,555,161.16. Motion carried. Claims forwarded to General Accounting for payment.

17. Old Business:

Jim Owen inquired if a forthcoming meeting with a contractor is to be an executive session.

David Boyer, Associate City Attorney, stated that this is a Board administered function and should be public.

18. New Business;

David Ross, City Engineer, asked if there were any questions on information sent regarding the Access Standards Manual.

No questions were asked.

Meeting adjourned at 9:30 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 27, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
James Owen, Member

test: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; R. David Boyer, Assoc. City Atty.; Ann Smith & David Ross; Tom Manny, Traffic Eng.; Tim Warren, Water Resources; Rick Orr, Right-of-Way; Wayne O'Brien, C&ED; Pat Callahan, Tom Pallone & Mike Thornson, WPC Eng.; Denny Root, Street Eng.; Walter Jordan & Charles Bailey, Contract Compliance; Linda Powell, Staff Atty. and Terry Atherton & Deb Farrell, Utility inistration.

1. **RECEIVE BIDS** - Resolution 6324-94, Fairmont Place Addition, Curb & Sidewalk Improvement, Phase IV (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

Brooks Construction	117,552.50
Dehner Construction	118,646.25
Key Concrete	90,435.00
Mergy Construction	95,105.25
Newell Construction	90,713.75
Eng. Est.	$102,395.00

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6336-94, Stafford Drive - Sherborne Blvd. to Bolton Drive (CEDIT NEIGHBORHOOD);

Brooks Construction	64,376.00
E & B Paving	63,501.50
S. E. Johnson Companies	66,714.50
Wayne Asphalt	59,550.50
Eng. Est.	$50,429.00

Street Engineering to tabulate and report.

3. **RECEIVE BIDS** - Real Estate - Lot 29 in Park State East, Extended, Section A, Subdivision, Township 31 North, Range 13 East, Section 26. Key # 28-4398-5029.

Delagrange Homes - $7,000
John Spencer Reinewald - $2,000

Lot 34 in Section 1 of Park State East Subdivision, Township 31 North, Range 13 East, Section 26. Key #28-3618-5034.

Tony Kaplanis - $5,750
Randy Jahn - $2,000 contingent on the purchase of Lot 67
LaVon Yoder - $2,002 contingent on the purchase of Lot 67
Mark Hoff - $3,000

Lot 67 in Section 2 of Park State East Subdivision, Township 31 North, Range 13 East, Section 26. Key #28-3618-5067.

Tony Kaplanis - $3,750
Randy John - $4,500
Mark Hoff - $4,537
John Langas - $6,000
LaVon Yoder - $5,250
Pandelis Kaplanis - $6,100
Kostos Kaplanis - $3663,68

Lot 108 in Section 3 of Park State East Subdivision, Township 31 North, Range 13 East, Section 26. Key #28-3618-5108.

Tony Reincke - $2501
Thomas M. Richards Sr. - $2,000

Sandy Maldeney, Property Manager, to tabulate and report.

4. **RECEIVE PROPOSALS FOR UNDERGROUND FOR UNDERGROUND STORAGE TANK CONSULTING SERVICES;**

Advanced Pollution Technologist Limited
American Environmental Corporation
Keramida Environmental, Inc.
R. E. Blattert & Associates
Alt & Witzig Engineering, Inc.
Farlow Environmental Engineers, Inc.
Triad Engineering, Inc.
Clark & Associates
Capital Environmental Enterprises
ATEC Associates, Inc.
Martin, Riley, Mock
GAI Consultants
HNTB Corporation

Committee to review and send recommendation to Board in 3 to 6 weeks.

5. RECEIVE BIDS: Residential Solid Waste Collection and Disposal;

   Review Committee to report to Board in two weeks. SEE ATTACHMENT.

6. AWARD: Resolution 6334-94, Rudisill/Plaza Neighborhood Sidewalk Reconstruction to Tomco Construction Co. in the amount of $45,542.00 (CEDIT NEIGHBORHOOD);
   Katherine Carrier moved approval of Award of Resolution 6334-94 to Tomco Construction Co. in the amount of $45,542.00. Motion carried. Notice of Award sent to Tomco Construction Co. Street Engineering to prepare contracts.

7. AWARD: Resolution 6333-94, Coldwater Road: Coliseum Blvd. to Collins Road to Brooks Construction in the amount of $309,556.89 (REDEVELOPMENT COMMISSION) PRIOR APPROVAL REQUESTED;
   Katherine Carrier moved approval of Award of Resolution 6333-94 to Brooks Construction in the amount of $309,556.89 and Prior Approval Request. Motion carried. Notice of Award sent to Brooks Construction and Prior Approval sent to Common Council. Street Engineering to prepare contracts.

8. Approval of Board Minutes of April 20, 1994;
   Jim Owen moved approval of Board Minutes of April 20, 1994. Motion carried. Minutes approved as printed and distributed.

9. Appointment of Appraisers for Red Haw Drive Fire Station Property;

   Tim McCaulay, City Attorney, presented a Resolution to the Board. Tim McCaulay then apprised the Board of the following; The Board of Public Works is the designated leasing agent for the City of Fort Wayne. The financing mechanism for the Red Haw Drive Fire Station is a lease-purchase situation. The City owns the land on Red Haw Drive and desires to sell said real estate to the Fort Wayne Fire Building Corporation (a non-profit agency) and Indiana Code 36-1-10-11 requires that before any such sale takes place, two appraisers must be appointed to appraise the fair market value of the land. This resolution appoints Lowell Griffin and Roy Buskirk, Professional Appraisers, as appraisers to appraise the fair market value of the above land.
   Jim Owen moved approval of Resolution Appointing Appraisers for Red Haw Drive Fire Station Property. Motion carried. Copy herein incorporated.

10. Received request from Mizpah Shrine Temple for Waiver of Barricade Fees for their "Night of a Thousand Lights" to be held on July 15, 1994 to begin at 7 P.M.;
    Katherine Carrier moved approval of request from Mizpah Shrine Temple for Waiver of Barricade Fees for their "Night of a Thousand Lights" to be held on July 15, 1994 to begin at 7: P.M. Motion carried. Fees to be waived.

11. Approval of Fort Wayne-New Haven-Allen County: Access Standards Manual;
    Jim Owen moved approval of the Fort Wayne-New Haven-Allen County Access Standards Manual. Motion carried.

    Katherine Carried then moved to table agenda item #23 until next week since she had to leave for another meeting. Motion carried. Agenda item #23 tabled until next week.

12. Agreement between the City and Brooks Construction, Inc. for Resolution 6325-94, Collins Road: Speedway Drive to Coldwater Road for total pavement replacement, curbs, drives, drainage and miscellaneous construction in the amount of $221,231.25 (CEDIT BOND);
    Jim Owen moved approval of Agreement between the City and Brooks Construction, Inc. for Resolution 6325-94 in the amount of $221,231,25. Motion carried. Agreement approved subject to Council approval.

13. Franchise Agreement between the City of Fort Wayne and Fair Oaks Motel and RESOLUTION of the Board of Public Works Approving Right-of-Way Franchise to Fair Oaks Motel;

    Rick Orr, Right-of-Way Department, apprised the Board of the following; this Franchise Agreement is for the purpose of allowing Fair Oaks Motel to install a cable under Bluffton Road within the City right-of-way. This grants a use or franchise to Fair Oaks Motel for one year and establishes a fee of $398.52. The fee previously charged was $1100.

14. Petition to Review Continuing Annual Charge for Use of City Right-of-Way from Daisey Bailey, Owner of Fair Oaks Motel;

    Rick Orr, Right-of-Way Department, apprised the Board of the following; in this Petition, the Petitioner, Daisey Bailey, is requesting relief from charges imposed upon her and her business, Fair Oaks Motel, for the non-exclusive use of a City right-of-way for the installation of two cables buried under the City right-of-way. Daisey Bailey stated that due to the death of her former husband and the economy, she is unable to pay the continuing charges and is delinquent in past payments of approximately $3,000.00.

Linda Powell, Staff Attorney, stated that the Board would be setting a precedent to re-visit every permit and agreement with other applicants.
Jim Owen moved to deny Petition to Review Continuing Annual Charge for Use of City Right-of-Way from Daisey Bailey and stated that a letter should be sent advising that the Board is willing to negotiate a time payment schedule. Motion carried. Petition denied.

15. Received recommendation from Water Engineering to accept the work performed on Contract 9314, Hillegas Commercial Park Section II as an integral part of the City's water system;
Jim Owen moved to accept the work performed on Contract 9314. Motion carried. Acceptance letter sent to Liberty Construction, Inc.

16. Sewer Reimbursement to Melvin Graber, 4353 C.R. 72 N, Spencerville in the amount of $3,537.21 collected from Robert and Rose Lipp, 6433 Revere Place under Sewer Agreement 92-S-10;
Jim Owen moved approval of Sewer Reimbursement to Melvin Graber in the amount of $3,537.21. Motion carried. Sewer reimbursement forwarded to New/Water Sewer Permit Office for their handling.

17. Authorization for Final Payment received from Long Electric Co., Inc. for work performed on WPC Computerization Project in the amount of $36,158.00. Escrow Agent is Lincoln National Bank;
Jim Owen moved approval of Authorization for Final Payment received from Long Electric Co., Inc. for work performed on WPC Computerization Project in the amount of $36,158.00. Motion carried. Authorization forwarded to Escrow Agent Lincoln National Bank.

18. Right-of-Way Rental/Use Agreement Application from Flashfold Carton, 1140 Hayden Street to run aerial fiber optic cable across Hayden Street 18 feet above the street. Routing has been finalized and staff approves;

Rick Orr, Right-of-Way Department, apprised the Board that this agreement is computed at $1.08 per foot for aerial fiber optic cable connecting one building to another. The poles will be on private property so there is no disruption to our right of way except for one wire 18' high. They are willing to pay the charges and the application fee.
Jim Owen moved approval of the Right-of-Way Rental/Use Agreement Application from Flashfold Carton. Motion carried. Copy on file in vault.

19. Change Order 1 and Final received from Liberty Construction, Inc. for Resolution 481-1991, Ranchwood Storm Sewer Phase II decreasing the contract price by $16,924.10. Original contract price was $222,425.00;
Jim Owen moved approval of Change Order 1 and Final received from Liberty Construction, Inc. for Resolution 481-1991 decreasing the contract price by $16,924.10. Motion carried. Copy on file.

20. Claims approval in the amount of $9,945,969.36;
Jim Owen moved approval of claims in the amount of $9,945,969.36. Motion carried. Claims forwarded to General Accounting for their handling.

21. Taxi Cab License Applicant Brian L. Myers;
Jim Owen moved approval of Taxi Cab License Applicant Brian L. Myers. Motion carried. License issued.

22. Discussion by Wayne Asphalt & Construction Co., Inc. regarding Resolution 6284-92, Phase I Lincolnshire Addition;

Vic Bobay, Street Engineering, apprised the Board of the following; this discussion is a result of complaints that surfaced from the Public Hearing regarding Resolution 6284-93.

The Board was given documentation from Irving Ready-Mix regarding findings by their consultant on Phase I Lincolnshire Addition.

William Eagan, a representative from Irving Ready-Mix, reported to the Board the findings of an aggregate consultant who made a condition survey of this project. Mr. Eagan stated the consultant found aggregate pops of less than 1% and he felt that the condition of the concrete was quality and structurally sound. Mr. Eagan stated the complaint is a cosmetic aspect and the Building Department of Allen County does not recognize a minor cosmetic problem or discoloration.

David Ross, City Engineer, stated that he would check to see if the Contractor followed specifications and the product checked okay, he would work with property owners to show that assessments are reasonable and they are receiving the improvements that they are paying for. If the standards are not met, it is up to the contractor to provide the product that the City specified.

23. Presentation Regarding Proposed Changes for Board of Public Works Petition Policies;
Tabled for one week. See agenda Item #11.

24. Old Business:

None.

25. New Business:

None.

Meeting adjourned at 10:40 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 27, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:40** a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles Layton, Jim Owen, Patricia Crick, BOW, Richard Romary, Street Eng., Richard Romary and Betsy Meyer, Barrett Law. Katherine Carrier, absent.

1. Notice to Property Owners - Resolution 6330-94, Oakland Street Improvement - Greenlawn Ave. to Margaret Ave., reconstruction of curbs, driveway approaches, curb ramps, sidewalks and rehabilitation storm sewer structures.
   Jim Owen moved to confirm Resolution 6330-94. Motion carried. Resolution 6330-94 confirmed. Remonstrance period to be up May 9, 1994.

Hearing adjourned at 10:45 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 4, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; R. David Boyer, Assoc. City Attorney; Charles Bailey, Contract Compliance; Linda Buskirk, Board of Works; Deb Farrell & Terry Atherton, Utility Administration; Mary Jane Slaton, Public Information Office; Rick Orr, Right-of-Way; Tom Manny, Traffic Eng.; Dick Knappenberger, St. Eng.; Dave Ross & Ann Smith, City Eng.; Pat Callahan, Mike Thornson & Bill Shininger, WPC Eng.

1. **RECEIVE BIDS** - Renovation Work to Police Operations Center

	Harold McComb & Son	Kinder	Hoeppner	Simerman	Bent & Broke	Louis Lengacher
Base	$192,200	215,811	206,500	218,700	180,147.45	177,500
Alt 1	13,300	28,375	26,467	25,900	19,678.90	24,900
Alt 2	6,500	6,383	2,800	6,000	5,865.75	6,900
Alt 3	18,600	24,730	18,680	23,800	20,004.15	16,300
Alt 4	7,700	8,288	10,200	3,300	7,426.30	12,450
Alt 5	11,500	19,295	12,000	18,800	3,304,35	16,500
Alt 6	2,200	3,203	3,000	3,200	2,065.35	1,850

Sandy Maldeney, Property Manager and Martin, Riley Mock, Architects/Consultants, to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6328-94, Lynn Avenue Improvement - California Avenue to Florida Avenue (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Construction	$ 79,684.75
Wayne Asphalt	83,074,50
Eng. Est.	75,218.80

Street Engineering to tabulate and report.

3 **RECEIVE BIDS** - Resolution 6335-94, Ludwig Road - Lima Road to Coldwater Road (CEDIT BOND)

Brooks Construction	$134,695.86
E & B Paving, Inc.	148,289.50
S. E. Johnson Co.	145,181.70
Wayne Asphalt	136,960.46
Eng. Est.	202,010.50

Street Engineering to tabulate and report.

4. AWARD: Resolution 6324-94, Fairmont Place Addition Curb and Sidewalk Improvement to Key Concrete, Inc. in the amount of $90,435.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Katherine Carrier moved approval of Award of Resolution 6324-94 to Key Concrete, Inc. in the amount of $90,435.00. Motion carried. Notice of Award to be sent to Key Concrete, Inc. Street Engineering to prepare contacts.

5. AWARD: Resolution 6336-94, Stafford Drive - Sherborne Blvd. to Bolton Drive to Wayne Asphalt & Construction in the amount of $59,550.50 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award of Resolution 6336-94 to Wayne Asphalt & Construction in the amount of $59,550.50. Motion carried. Notice of Award to be sent to Key Concrete, Inc. Street Engineering to prepare contracts.

6. Approval of Board Minutes of April 27, 1994;
Jim Owen moved to table Board Minutes of April 27, 1994. Motion carried. Minutes tabled for one week.

7. Approval of Public Hearing Minutes of April 27, 1994;
Jim Owen moved approval of Public Hearing Minutes of April 27, 1994. Motion carried. Minutes approved as distributed.

8. Sewer Contract 94-S-4 between North Eastern Construction Co., Inc. and the City to construct a local sanitary sewer system to serve La Cabreah Addition Section I Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-4 between North Eastern Construction Co., Inc. and the City. Motion carried. Copy on file.

9. Sewer Contract 94-S-11 between North Eastern Construction Co., Inc. and the City to construct a local sanitary sewer system to serve Holly Ridge Section II Sanitary Extension (PRIVATELY FUNDED);
Katherine Carrier moved approval of Sewer Contract 94-S-11 between North Eastern Construction Co., Inc. and the City. Motion carried. Copy on file.

10. Sewer Contract 94-S-14 between Lincoln National Corporation and the City to construct a local combination sewer system at the E/W alley on the west line of Webster Street between Lewis and Douglas. This is for the Lincoln Life Child Care Facility Combination Reroute (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-14 between Lincoln National Corporation and the City. Katherine Carrier abstained. Motion carried. Copy on file.

11. **IMPROVEMENT RESOLUTION #6329-94**, Jefferson Blvd. & Washington Blvd. - Thieme to Broadway (CEDIT BOND);

    David Ross, City Engineer, apprised the Board of the following; this resolution is for the improvement of Jefferson from Thieme to Broadway and Washington Blvd. from Thieme to Broadway by surface milling, bituminous wedge and resurfacing, curb ramps, storm sewer rehabilitation, pavement marking and restoration.
    Katherine Carrier moved approval of Improvement Resolution 6329-94. Motion carried. Copy herein incorporated.

12. **RESOLUTION** requested by St. Joseph Medical Center for vacation of part of the alley in Block 25 Ewing's Addition and in Rockhill's Addition. Routing has been finalized and staff approves;

    Rick Orr, Right-of-Way Department, apprised the Board of the following; the reason that St. Joseph Medical Center requested the alley vacation is for a continuous parking lot that would be available in a controlled atmosphere so that the cross alley would not create an entrance to a controlled parking environment.
    Katherine Carrier moved approval of Resolution requested by St. Joseph Medical Center for vacation of part of the alley in Block 25 Ewing's Addition in Rockhill's Addition. Motion carried. Copy on file.

13. Received request for Waiver of Barricade Fees from Talented Team Club for a parade to be held on August 6, 1994 from 10:00 A.M. - 11:30 A.M.;
Katherine Carrier moved approval of request for Waiver of Barricade Fees f Talented Team Club for a parade to be held on August 6, 1994 from 10:00 a.m. to 11:30 a.m. Motion carried. Fees to be waived.

14. Receive request for Waiver of Barricade Fees from the Fort Wayne Chapter Indiana Black Expo for a parade to be held on June 18, 1994 from 9:00 A.M. - 11:30 A.M.;
Jim Owen moved approval of request for Waiver of Barricade Fees from the Fort Wayne Chapter Indiana Black Expo for a parade to be held on June 18, 1994 from 9:00 a.m. to 11:30 a.m. Motion carried. Fees to be waived.

15. Banner Installation and Maintenance Agreement between the City and St. Joseph Medical Center to celebrate their 125th Anniversary from May 1st, 1994 to May 1st, 1995;

    Linda Buskirk, Board of Works, stated that the installation of the brackets is to be paid by St. Joseph Medical Center and would not interfere with the Bicentennial banners.
    Katherine Carrier moved approval of Banner Installation and Maintenance Agreement between the City and St. Joseph Medical Center to celebrate their 125th Anniversary from May 1st, 1994 to May 1st, 1995. Motion carried. Copy on file.

16. Revised Agreement between the City and INDOT for improvements to Intersection of Lake Avenue and Coliseum Blvd. increasing appropriation of total amount of the entire cost of project from approximately $2,156,000 to $2,521,000 and local share from $393,000 to $466,000;

    David Ross, City Engineer, apprised the Board of the following; this increase is necessary because when the state received bids, the costs came in higher than anticipated. The project is to be rebid on May 17, 1994.
    Jim Owen moved to approve Revised Agreement between the City and INDOT for improvements to Intersection of Lake Avenue and Coliseum Blvd. increasing appropriation of total amount of local share from $393,000 to $466,000. Motion carried. Copy on file in vault.

17. Presentation Regarding Proposed Changes for Board of Public Works Petition Policies;

    Ann Smith apprised the Board of the following; this is the first proposed policy change since May 1989. The availability of funding has changed due

Ann Smith apprised the Board of the following; this is the first proposed policy change since May 1989. The availability of funding has changed due to COIT and CEDIT funding as well as cost of living changes. The utilities also revised their policies.

Specific items being changed are as follows:

I. Signatures required: Any petition requesting improvements for which affected property owners will be required to pay a portion of the costs must be signed by at least 51% of the affected property owners where different percentage amounts are set forth below.

Petitions not containing the established amount of signatures may continue to be processed at the request of the City Council representative providing funding for the engineering work from his/her district's allotment of CEDIT dollars.

II. The percentage of City cost sharing and property cost share: On streets, curbs, sidewalks and ornamental lighting the cost sharing will be 40% City and 60% property owners. Standard overhead street lights will be installed at 100% cost to the City. On alley reconstruction, property owners will pay 75% with the City paying 25%. For water projects, the property owners will pay for 100% of the main installation if they do not currently have City water. On sanitary sewer projects, no set percentage of affected property owners is required to petition by Indiana law.

Katherine Carrier suggested that a simple matrix be added to simplify the petition process to citizens and that neighborhood presidents be advised of the new policy.
Jim Owen moved approval of acceptance of written document regarding petition process. Motion carried. Formal document to be presented to Board for signatures next week.

18. Change Order No. 1 received from All Star Construction for Res. 498-1992, Ludwig Park Phase I, increasing the contract price by $1,476.60. Original contract price was $310,845.00;
Jim Owen moved approval of Change Order No. 1 received from All Star Construction for Res. 498-1992 increasing the contract price by $1,476.60. Motion carried. Copy on file.

19. Revolving Barrett Law claims approval in the $10,956.04.
Katherine Carrier moved approval of Revolving Barrett Law claims in the amount of $10,956.04. Motion carried. Claims forwarded to Barrett Law Office for their handling.

20. Claims approval in the amount of $1,065,165.63.
Katherine Carrier moved approval of claims in the amount of $1,065,165.63. Motion carried. Claims approved and forwarded to General Accounting for their approval.

21. Taxi Cab License Applicant John M. Anderson, Robert A. Mueller, John P. Richwine and Robert E. Tinsley, Sr.;
Jim Owen moved approval of Taxi Cab License Applicants John M. Anderson, Robert A. Mueller, John P. Richwine and Robert E. Tinsley, Sr. Motion carried. Licenses to be issued.

22. Old Business:

I. David Boyer apprised the Board of the following; a matrix has been prepared for the garbage bids including up to nine alternates. The committee is currently in a costing out phase and possibly next week the committee will have a recommendation for the garbage contract that will also provide yard waste pickup and leaf pickup for close to the existing costs. Recycling would possibly cost an additional $2.00 a month user fee. Copies will be in the Board of Works Office for public review.

II. Jim Owen asked when the sanitary budget would be revisited.

Terry Atherton gave an quick update. It appeared that there was a surplus of funds that had to be used to pay additional bond expenses that were not anticipated. The exact amount will be presented to the Board next week.

III. Katherine Carrier inquired about the status of the Comcast Contract. An update will be presented.

23. New Business:

None.

Meeting recessed at 10:10 a.m.

Charles E. Layton, Director

Kath A Carrier

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

May 4, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting reconvened at 10:30 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

1. Received recommendation from Property Manager and Martin Riley Mock to award Renovation Work to Police Operation Center to Louis Lee Lengacher as follows:

Alternate Bid A-1	$ 24,900
Alternate Bid A-2	6,900
Alternate Bid A-3	16,300
Alternate Bid A-6	1,850
Base Bid	17,500
TOTAL	$ 227,450

Prior approval requested.
Jim Owen moved approval of award to Louis Lee Lengacher for a total bid of $227,450 and request for prior approval. Motion carried. Prior approval sent to Common Council.

Katherine Carrier moved to conclude regular session. Motion carried. Meeting adjourned.

Charles E. Layton, Director

Kath A Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

May 4, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at 10:40 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk and Linda Buskirk, Board of Public Works; Ed Foss, Virgil Bowers, Pamela S. Manoloff, All Star Construction & Excavating; Robert Owen Vegeler, Beers Mallers Backs & Salin; Mike Hicks, Tom Pallone, Pat Callahan, WPC Engineering; Tim Warren, Water Engineering; Linda Powell, David Boyer, Associate City Attorneys; Terry Atherton, Director, Utility Administration, Rick Orr, Right-of-Way; Mike Thornson, Stormwater Engineering; Jim Riemke, Street Light Engineering and Chuck Nash & Mark Wilson, Technical Services (Inspection Lab).

1. Debarment Hearing for All Star Construction & Excavating.

Patrick W. Callahan, Assistant Chief Engineer/Sanitary, Water Pollution Control Engineering petitioned the Board of Works requesting that they issue a Debarment Order against Respondent for failure to perform according to contract.
Jim Owen moved that the Respondent should be suspended from bidding either as a subcontractor or a contractor on City bid projects until all City projects under contract with Respondent have been completed and accepted by the City. Motion carried. (SEE ATTACHED FINDINGS & RULINGS)

Hearing adjourned at 12:40 p.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 11, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Ann Smith & Dave Ross, City Eng.; Tim Warren, Water Resources; Mike Thornson & Pat Callahan, WPC Eng.; Charles Bailey & Walter Jordan, Contract Compliance; Dick Knappenberger, Street Eng.; Sandy Maldeney, Property Manager; Steve Martin, C. U. Accounting; Don McEvoy, Communications; R. David Boyer, Assoc. City Attorney; Mary Jane Slaton, Public Information Office; Rick Orr, Right-of-Way; Douglas Lehman, Department of Finance; Deb Farrell & Terry Atherton, Utility Administration and Linda Powell, Staff Attorney.

1. AWARD: Resolution 6328-94, Lynn Avenue Improvement - California Avenue to Florida Avenue to Brooks Construction Co. in the amount of $79,684.75 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6328-94 to Brooks Construction Company in the amount of $79,684,75. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

2. AWARD: Resolution 6335-94, Ludwig Road - Lima Road to Coldwater Road to Brooks Construction Co. in the amount of $134,695.86 (CEDIT BOND). Prior Approval requested.
Jim Owen moved approval of Award for Resolution 6335-94 to Brooks Construction Company in the amount of $134,695.86 and Prior Approval request. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

3. Recommendation from Property Manager to sell Lot 29 in Park State East, Extended, Section A Subdivision, Township 31 North, Range 13 East, Section 26, Key #28-4398-5029 to Delagrange Homes in the amount of $7,000.00;
Katherine Carrier moved approval of recommendation from Property Manager to sell Lot 29 in Park State East Extended, Section A Subdivision, Township 31 North, Range 13 East, Section 26, Key #28-4398-5029 to Delegrange Homes in the amount of $7,000.00. Motion carried. R. David Boyer, Associate City Attorney, to prepare Deed and Closing Statement.

4. Recommendation from Property Manager to sell Lot 67 in Section 2 of Park State East Subdivision, Township 31 North, Range 13 East, Section 26, Key #28-3618-5067 to Pandelis Kaplanis in the amount of $6,100.00;
Jim Owen moved approval of recommendation from Property Manager to sell Lot 67 in Section 2 of Park State East Subdivision, Township 31 North, Range 13 East, Section 26, Key #28-3618-5067 to Pandelis Kaplanis in the amount of $6,100.00. Motion carried. R. David Boyer, Associate City Attorney, to prepare Deed and Closing Statement.

5. Approval of Board Minutes of April 27, 1994 (TABLED FROM LAST WEEK);
Jim Owen moved approval of Board Minutes of April 27, 1994 as appended. Motion carried. Minutes approved as printed and distributed.

6. Approval of Board Minutes of May 4, 1994;
Jim Owen moved approval of Board Minutes of May 4, 1995. Motion carried. Minutes approved as printed and distributed.

7. Approval of Public Hearing Minutes of May 4, 1994;
Jim Owen moved approval of Public Hearing Minutes of May 4, 1994. Katherine Carrier abstained. Motion carried. Minutes approved as printed and distributed.

8. Approval of Interlocal Agreement between Allen County and the City of Fort Wayne regarding the purchase and use of Spillman Public Safety Software System;

Don McEvoy, Communications, apprised the Board of the following; this is a Public Safety software package for commuter dispatch for Law Enforcement, Fire Departments, Animal Control, Jail Management, etc. Allen County and the City will share the cost equally.

The position of Systems Administrator shall be created to administer the Spillman Software and any other Public Safety Information Systems programs maintained by the agencies on a day-to-day basis.

The City and County Data Boards shall, through resolutions, create a single "Spillman Software Board" to help administer and recommend decisions on all non-funding issues pertaining to the administration and use of the Spillman Software by each of the agencies. This board will report to both Data Boards.

The cost for the City is approximately $225,000 and will be paid out from the Public Safety Bond Issue.

This agreement will require approval by County Commissioners, County Council and City Council.
Katherine Carrier moved approval of Interlocal Agreement between Allen County and the City of Fort Wayne regarding the purchase and use of Spillman Public Safety Software System. Motion carried. Copy forwarded to County Commissioners for their execution.

9. **EMERGENCY RESOLUTION** to repair existing 24" corrugated metal pipe in the 2900 block of West Washington Center Road which has rusted and collapsed, creating an undermining of the pavement and required immediate action (BOW CONTINGENCY);

Terry Atherton, Utility Administration, apprised the Board of the following; a resolution is being drafted for adoption by the Board which will establish certain responsibilities. The current thinking is that below a certain diameter would be the responsibility of the Street Department (Civil City) and above that diameter would be the responsibility of the Utility.

Terry Atherton recommended to the Board amending the resolution to say the BOW Contingency Fund would be reimbursed from Stormwater Funds since the BOW Contingency Funds might be needed for pavement blowups or Civil City emergencies.
Jim Owen moved to amend the resolution to say the BOW Contingency Fund would be reimbursed from Stormwater Funds. Motion carried. Fund to be reimbursed.

Jim Owen then moved approval of Emergency Resolution for repair of existing corrugated metal pipe in the 2900 block of West Washington Center Road. Motion carried. Purchasing to issue Emergency Purchase Order to the Contractor chosen for said repair from Stormwater Funds. Newell Construction, Mergy Construction, T & G Excavating and Dehner Construction were invited to submit quotes on the repair. Copy of Resolution herein incorporated.

10. Approval of **RESOLUTION** establishing the cost-sharing policies for neighborhood capital improvement projects;

Mike Thornson, WPC Engineering, requested that on Item 10, Page 4 - Section F, in the last paragraph the Board change the Resolution to read "the property owners shall pay the first $4,000.00 of cost allotted to each lot to be drained" and to eliminate the words "tract" and "parcel".
Katherine Carrier moved to amend the Resolution to read "the property owners shall pay the first $4,000.00 of cost allocated to each lot to be drained" and to eliminate the words "tract" and "parcel". Motion carried. Resolution and grid amended.

Jim Owen moved to approve of Resolution establishing the cost-sharing policies for neighborhood capital improvement projects as amended. Motion carried. Copy herein incorporated.

11. **IMPROVEMENT RESOLUTION 6340-94,** Spy Run Avenue/Clinton Street Curbface Walk Improvements (CEDIT NEIGHBORHOOD FUNDED);
Jim Owen moved approval of Improvement Resolution 6340-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/13 & 5/20 with date to receive bids 6/1/94.

12. Standard Form of Agreement between the City and Louis Lee Lengacher, Inc. for Renovation work to City of Fort Wayne Police Operation Center for Base Bid, Alternate A-1, Alternate A-2, Alternate A-3, Alternate A-6 in the amount of $227,450.00 (POLICE BUDGET);
Jim Owen moved approval of Standard from of Agreement between the City and Louis Lee Lengacher, Inc. in the amount of $227,450.00. Motion carried. Agreement approved subject to Councilmanic approval.

13. PARTIAL RELEASE OF EASEMENT for Autumn Ridge Villas Section II;

    Pat Callahan, WPC Engineering, apprised the Board that this 14' easement has been replatted and the City of Fort Wayne no longer has use for a portion of said sanitary sewer easement. WPC Engineering recommends that the City release a portion of the 14' easement to Colonial Development.
    Jim Owen moved approval of Partial Release of Easement. Motion carried. Copy herein incorporated.

14. Received request from On A Roll, d/b/a Sidewalk Gourmet, 928 S. Calhoun Street to open and operate a sidewalk restaurant. Hold Harmless Agreement between On A Roll and the City to operate for a period beginning May 16, 1994 through October 30, 1994;
Katherine Carrier moved approval of request from on A Roll, d/b/a Sidewalk Gourmet to open and operate a sidewalk restaurant. Motion carried. Copy on file.

15. Received request from Dash-In Cafe, Inc., 817 S. Calhoun Street to open and operate a sidewalk restaurant. Hold Harmless Agreement between Dash-In Cafe, Inc. and the City to operate for a period beginning May 16, 1994 through October 30, 1994;
Katherine Carrier moved approval of request from Dash-In Cafe, Inc. to open and operate a sidewalk restaurant. Motion carried. Copy on file.

16. Sewer Contract 94-S-10 between Colonial Development Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve The Oaks Section III Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-10 between Colonial Development Corp. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

17. Claims approval in the amount of $3,215,653.64.
Katherine Carrier moved approval of claims in the amount of $3,215,653.64. Motion carried. Claims forwarded to General Accounting for their handling.

18. Taxi Cab License Applicant George E. Scheiner;
Jim Owen moved approval of Taxi License Applicant George E. Scheiner. Motion carried. License to be issued.

19. Old Business:

    I. Jim Owen inquired what the standards are regarding ADA requirements on sidewalk cafes.

       Rick Orr stated that there is a clause in the agreement that protects the City if the applicant is not in compliance.

    II. Katherine Carrier inquired about the status of Comcast Cable.

       Pat Crick stated that Linda Buskirk had sent a message to Board Members on CEO regarding same.

    III. Katherine Carrier requested information regarding the status of All Star Construction & Excavating.

       Pat Callahan, WPC Engineering, stated the acceptance of the contracts would be presented to the Board indicating all four projects would be completed.

20. New Business:

    None.

Meeting adjourned at 9:40 a.m.

Charles E. Layton, Director

Kath A. Carrie

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

May 11, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at 10:30 p.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Board of Public Works; Tom Manny, Traffic Engineering; Jim Riemke, Street Light Engineering and Betsy Meyer, Barrett Law. Katherine A. Carrier, absent.

1. Final Hearing - Notice of Assessment on Resolution #231-93, Indian Village Phase VI Ornamental Street Lighting.
   Jim Owen moved to confirm Assessment Roll on Resolution 231-93. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 10:42 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at 11:00 a.m.

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Board of Public Works; Tom Manny, Traffic Engineering; Jim Riemke, Street Light Engineering and Betsy Meyer, Barrett Law. Katherine A. Carrier, absent.

1. Final Hearing - Notice of Assessment on Resolution #232-93, Tamarack Phase I Ornamental Street Lighting; Tom Manny, Traffic Engineering; Jim Riemke, Street Light Engineering and Betsy Meyer, Barrett Law.
   Jim Owen moved to confirm Assessment Roll on Resolution #232-93. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 11:30 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

May 18, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, Katherine A. Carrier, Patricia J. Crick, BOW; Ann Smith & David Ross, City Eng.; Charles Evanson, Solid Waste Department; Tom Manny, Traffic Eng.; R. David Boyer, Assoc. City Attorney; Charles Bailey & Walter Jordan, Contract Compliance; Mary Jane Slaton, Public Information Office, Tom Pallone, Mike Thornson, Pat Callahan, & Tom Gountras, WPC Eng.; Terry Atherton, Utility Administration; Linda Powell, Staff Attorney; Vic Bobay, Street Eng. and Doug Pooler, Filtration Plant. C. James Owen, absent.

1. **RECEIVE BIDS** - Resolution #6331-94, East State Blvd. - Parnell Avenue to Santa Rosa Dr. & Randallia Dr. - East State Blvd. to Lake Avenue Improvement (CEDIT BOND)

Brooks Const.	1,369,705.32
Wayne Asphalt	1,283,850.59
Eng. Est.	$1,359,786.20

Bonar & Associates Consultants and City Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6332-94, Hanna Street Improvements (CEDIT BOND/ SEWER UTILITY)

Brooks Const.	395,008.74
S. E. Johnson	341,870.43
T-G Inc.	447,139.39
Wayne Asphalt	405,074.15
Eng. Est.	$429,657.76

HNTB Consultants and City Engineering to tabulate and report.

3. **RECEIVE BIDS** - Resolution 6337-94, Washington Center Road Intersection Improvements (CEDIT BOND)

Brooks Const.	800,953.51
Dehner Const.	674,207.85
E & B Paving	649,334.77
Mergy Const.	706,988.88
Moellering Const.	766,861.40
Eng. Est.	$733,000.00

Russell Engineering Consultants and City Engineering to tabulate and report.

4. **RESOLUTION** relating to the collection, transportation and disposal of solid waste in the City of Fort Wayne. Awarding the base bid to National Serv-All for the collection of solid waste at the rate of $37.36 per ton for collection costs, both residential and city and $14.13 per ton disposal cost both residential and city. Also, the awarding to Browning Ferris Industries of Indiana, Inc. for the collection of yard waste and for the curbside collection of recyclable waste. Be it further resolved that the Board of Public Works recommends to the Common Council pursuant to the authority of I.C. 36-9-30-7 that Chapter 50 of the Municipal Code of the City of Fort Wayne be amended to increase the solid waste user fee from $5.00 per month to $6.50 per month effective January 1, 1995;

   Katherine Carrier inquired about the selection process.

   David Boyer, Associate City Attorney, apprised the Board of the following; the selection committee met with the two low bidders who explained their bids. The committee did a cost analysis of the bids based on high estimate of volume. This resolution is needed in order to terminate current waste contract.

   Katherine Carrier also inquired about the views of the other Board members.

   David Boyer stated that he had talked with Jim Owen who stated he was in agreement with the committee's recommendation.

   Charles Layton stated that he concurred with the committee's recommendation. **Katherine Carrier moved approval of Resolution relating to the collection, transportation and disposal of solid waste in the City of Fort Wayne. Motion carried. Resolution approved subject to Council approval. Copy herein incorporated.**

5. Approval of Board Minutes of May 11, 1994;
Katherine Carrier moved approval of Board Minutes of May 11, 1994. Motion carried. Board Minutes approved as printed and distributed.

6. Approval of Public Hearing Minutes of May 11, 1994;
Katherine Carrier tabled with Public Hearing Minutes of May 11, 1994. Motion carried. Public Hearing Minutes tabled until next wee4k.

7. Received recommendation from Superintendent of Filtration Plant to accept the work performed on Contract 91-W-06 for the Three Rivers Filtration Plant Laboratory project;
Katherine Carrier moved to accept the work performed on Contract 91-W-06. Motion carried. Acceptance letter sent to R. E. Crosby.

8. Received Authorization for Final Payment from Robert E. Crosby & Son, Inc. for Contract 91-W-06 requesting Release of Escrow in the sum of $5,000.00 plus all interest. Escrow agent is NBD Bank;
Katherine Carrier moved approval of Authorization of Final Payment from Robert E. Crosby & Son, Inc. for Contract 91-W-06 requesting Release of Escrow in the amount of $5,000.00 plus all interest. Motion carried. Authorization for Final Payment sent to NBD Bank.

9. **EMERGENCY RESOLUTION** for the Three Rivers Filtration Plant #1. The Plant has deteriorated to the extent that a section of weirs in the Plant #1 West clarification tank has broken loose and fallen, rendering Plant #1 inoperable. Therefore an emergency exists for McNamee, Porter & Seely to conduct a study and provide engineering for repairs and to a General Contractor for demolition and construction of recommended changes;

   Doug Pooler, Superintendent, Three Rivers Filtration Plant, apprised the Board that Plant #1 was built in 1930 and presented pictures to the Board of the broken clarification tank. He explained that the weir spreads water flow.

   Terry Atherton, Utility Administration, explained that there are three plants. The Plant #1 was used last summer while Plant #3 was shut down for repairs. Now Plant #1 is in need of repairs. He stated that funds are being transferred from the Ardmore/Covington funds since the project will not be started this year.
   Katherine Carrier moved approval of Emergency Resolution for the Three Rivers Filtration Plant #1. Motion carried. Purchasing to issue Purchase Order for McNamee, Porter & Seely and to a General Contractor. Copy herein incorporated.

10. **IMPROVEMENT RESOLUTION 6339-94,** Neighborhood Commercial Capital Improvements - Package 93-B (CDBG);
Katherine Carrier moved approval of Improvement Resolution 6339-94. Motion carried. Advertise Notice to Contractors 5/20 & 5/27/94 with date to receive bids June 8, 1994. Copy herein incorporated.

11. **IMPROVEMENT RESOLUTION 6341-94,** Lawton Place Resurfacing, Griswold Drive to Spy Run Avenue by resurfacing Lawton Place from east curb line of Spy Run Avenue to the west edge of pavement of Griswold Drive (CEDIT NEIGHBORHOOD FUNDED);
Katherine Carrier moved approval of Improvement Resolution 6341-94. Motion carried. Advertise Notice to Contractors 5/20 & 5/27/94 with date to receive bids 5/20 & 5/27/94 with date to receive bids 6/8/94.

12. **IMPROVEMENT RESOLUTION 6342-94,** Brooklyn Avenue - Bluffton Road to Norfolk Southern Railroad for resurfacing, curb ramps, storm sewer extension, pavement markings, milling surface and restoration (CEDIT BOND);
Katherine Carrier moved approval of Improvement Resolution 6342-94. Motion carried. Advertise Notice to Contractors 5/20 & 5/27/94 with date to receive bids 5/27 & 6/1/94 with date to receive bids 6/16/94. Copy herein incorporated.

13. **IMPROVEMENT RESOLUTION 6344-94,** Illsley Drive Alley Reconstruction from the east/west alley from Beaver Avenue to Indiana Ave. and between Oakdale Drive and Illsley Drive by reconstructing the alley and alley approaches with new concrete pavement (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Katherine Carrier moved approval of Improvement Resolution 6344-94. Motion carried. Advertise Notice to Property Owners with hearing to be held June 1, 1994. Copy herein incorporated.

14. RESOLUTION 515-94, Avalon Addition Drainage Improvement - Phase II. St. Louis Avenue and Durban Drive, installation of pipe and 6-30" inlets, 2100 block of Maplewood Road, installation of 3-48" manholes, Maplewood Road and Pinedale Drive, installation of 1-30" inlet and Wohama Drive - Worth Drive, reconstruction of concrete street and adjustment of inlet and manhole structures (STORM WATER UTILITY/CEDIT NEIGHBORHOOD);

Katherine Carrier moved approval of Resolution 515-94. Motion carried. Copy herein incorporated.

15. **RESOLUTION 516-94,** Centerhurst Addition Storm Drainage Improvement. Salge Drive - Allenwood Drive area, installation of pipe, 2-48" manholes, 2-30" inlets and underdrains, Salge Drive - Centerhurst Terrace Area, installation of pipe, 3-48" manholes, 2-30" inlets and underdrains, Salge Ditch Area, installation of pipe, and rip-rap ditch bank stabilization (CEDIT NEIGHBORHOOD FUNDS);
    Katherine Carrier moved approval of Resolution 516-94. Motion carried. Copy herein incorporated.

16. **RESOLUTION 517-94,** Crestwood Colony Addition Drainage Improvement Phase I. Reconstruction/debrushing of outfall ditch along east property lines of Lots 9-15. Installation of pipe, 14 inlets, and replacement of 19 inlet castings at the neighborhood street intersections (CEDIT NEIGHBORHOOD FUNDS);
    Katherine Carrier moved approval of Resolution 517-94. Motion carried. Copy herein incorporated.

17. Contract 6324-94, Fairmont Place Addition Curb and Sidewalk Improvement Phase IV between the City and Key Concrete Inc. in the amount of $90,435.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
    Katherine Carrier moved approval of Contract 6324-94 between the City and Key Concrete Inc. in the amount of $90,435.00. Motion carried. Notice to Proceed sent.

18. Contract 6336-94, Stafford Drive - Sherborne Blvd. to Bolton Drive between the City and Wayne Asphalt & Construction Co. in the amount of $59,550.50 (CEDIT NEIGHBORHOOD);
    Katherine Carrier moved approval of Contract 6336-94 between the City and Wayne Asphalt & Construction Co. in the amount of $59,550.50. Motion carried. Notice to Proceed sent.

19. Change Order received from Brooks Construction Co. for Resolution 6325-94, Collins Road Improvements, Speedway to Coldwater Road increasing the contract price by $16,991.00. Original contract price was $221,231.25 (CEDIT NEIGHBORHOOD FUND);

    David Ross, City Engineer, stated this change was necessary because of a request for sidewalks was made by ARC Industries of 4919 Projects Drive. This required an addition of four inch curb face concrete sidewalk along the north side of Collins Road from Coldwater Road to Projects Drive.
    Katherine Carrier moved approval of Change Order received from Brooks Construction Co. for Resolution 6325-94 increasing the contract price by $16,991.00. Motion carried. Copy on file.

20. Received request for Waiver of Barricade Fees from WMEE for Three Rivers Festival Bed Race to be held on July 14, 1994 from 5 P.M. to 8 P.M.;
    Katherine Carrier moved approval of request for Waiver of Barricade Fees from WMEE for Three Rivers Festival Bed Race to be held on July 14, 1994 from 5 P.M. to 8 P.M. Motion carried. Fees to be waived.

21. Received request for Waiver of Barricade Fees from South Side High School for Ivy Day Parade & Ceremony for Senior Graduation to be held on June 3, 1994 from 6:30 A.M. - 10:30 A.M.;
    Katherine Carrier moved approval of request for Waiver of Barricade Fees from South Side High School for Ivy Day Parade & Ceremony for Senior Graduation to be held on June 3, 1994. Motion carried. Fees to be waived.

22. Traffic Signal Agreement between the City and Woodbridge Apartments for installation of traffic signal devices on St. Joe Center Rd. at River Run Trail;

    Tom Manny, Traffic Engineer, apprised the Board of the following; this agreement is like an agreement the Board signed previously between the City and Woodbridge Apartments for installation of traffic signal devices on St. Joe Center Rd. at River Run Trail. Traffic Engineering didn't feel comfortable with the installation fee of $60,000 to be paid by developer. This agreement changes that figure to $70,000. This agreement has to be approved by HUD since the second group of Woodbridge Apartments are subsidized.
    Katherine Carrier moved to approve Traffic Signal Agreement between the City and Woodbridge Apartments. Motion carried. Copy on file in vault.

23. Received request from Fort Wayne South Side Building Corp. for Board approval to amend the standard Encroachment License Agreement;

Otto M. Bonahoom, Attorney, Barrett & McNagny, representing Fort Wayne Community Schools, apprised the Board of the following; there is a sewer easement near South Side High School and the renovation of same calls for driveways, curbs and part of the proposed tennis court to encroach upon that easement.

The Encroachment License Agreement states that the Board shall have the right, as shall any other utility, to remove the said encroachment in the event access is required by the City, its utilities, or any other utility company and that the Applicant shall not be entitled to any reimbursement for such removal and the City shall not be held responsible for the cost of restoring said encroachment and Mr. Bonahoom stated his client agrees to that but this form does not fit this situation. It calls for a revocable right and it should be irrevocable in this situation.

David Boyer inquired about where Mr. Bonahoom got the description for the sewer easement.

Mr. Bonahoom stated he obtained the description from WPC Engineering and a surveyor is working with WPC Engineering and agreed that after the renovation is completed that an as-built description would be given to the City.

Mr. Boyer stated that there is also a concern where the sewer lines are actually located within the easement.

Pat Callahan, WPC Engineering, stated that the problem is that this is a 60" brick sewer line that is 70 years old in a street right-of-way. The street right-of-way is to be abandoned with the renovation so the City is requesting a easement for the sewer line to replace the right of way easement so the City has access to the sewer line for repair. He stated the main issue with WPC Engineering is not to complicate things as far as maintenance or access. The City is asking for a survey to show the sewer line is inside the easement.

David Boyer recommended that the Board agree to modifications with a gentlemens' agreement that if for some reason the City discovers the sewer is outside the old right-of-way description that we amend the easement description to cover the sewer location. He also recommended changing the wording of the agreement to read irrevocable instead of revocable and taking out pedestrian access.
Katherine Carrier moved approval of request from Fort Wayne South Side Building Corporation to amend the standard Encrochment License Agreement. Motion carried. Encroachment License Agreement amended.

24. Taxi Cab License Applicant Pete H. Costilla;
Katherine Carrier moved to approve Taxi Cab License Applicant Pete H. Costilla. Motion carried. License to be issued.

25. Claims approval in the amount of $10,565,446.68.
Katherine Carrier moved approval of claims in the amount of $10,565,446.68. Motion carried. Claims forwarded to General Accounting for payment.

26. Old Business;

Katherine Carrier inquired why more bidders didn't turn in bids on the projects received this morning.

David Ross stated that most of the companies that took out plans were subcontractors.

27. New Business;

None.

Meeting adjourned at 10:05 a.m.

Charles E. Layton, Director

Kath A. Carrier
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 18, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30** a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, Katherine A Carrier, Patricia J. Crick, Board of Public Works; Tom Manny, Traffic Engineering; Jim Riemke, Street Light Engineering and Betsy Meyer, Barrett Law. C. James Owen, absent.

1. Final Hearing - Notice of Assessment on Resolution #233-93, Lincoln Phase VI Ornamental Street Lighting.
   Katherine Carrier moved to confirm Assessment Roll on Resolution 233-93. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 10:40 a.m.

Charles E. Layton, Director

Kath A Carri
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00** a.m.

PRESENT: Charles E. Layton, Katherine A Carrier, Patricia J. Crick, Board of Public Works; Tom Manny, Traffic Engineering; Jim Riemke, Street Light Engineering and Betsy Meyer, Barrett Law. C. James Owen, absent.

1. Final Hearing - Notice of Assessment on Resolution #234-93, Glenwood Park - Phase 3 Ornamental Street Lighting.
   Jim Owen moved to confirm Assessment Roll on Resolution #234-93. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 11:20 a.m.

Charles E. Layton, Director

Kath A Carri
Katherine A. Carrier, Member

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 25, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, ~~Katherine A. Carrier,~~ Patricia J. Crick & Linda Buskirk, Board of Public Works; Ann Smith & David Ross, City Engineering; Terry Atherton & Deb Farrell, Utility Administration; Steve Martin & Sherri Recht, City Utility Accounting; Linda Powell, Staff Attorney; Walter Jordan & Charles Bailey, Contract Compliance; Tim Warren, Water Resources;Tom Pallone, Pat Callahan, Mike Thornson & Don Hanley, WPC Engineering; Denny Root & Dick Knappenberger, Street Engineering; Mary Jane Slaton, Public Information Office; Judy Black, New Water/Sewer Permits; Rick Orr, Right-of-Way Dept.; Jim Riemke, Street Light Engineering and Mike Claytor, Municipal Consultants. Katherine A. Carrier, absent.

1. AWARD: Resolution 6337-94, Washington Center Road Intersection Improvements Phase I to E & B Paving for the Alternate Bid in the amount of $653,092.72. Prior approval requested. (CEDIT BOND);
Jim Owen moved approval of award for Resolution #6337-94 to E & B Paving for the Alternate Bid in the amount of $653,092.72. Motion carried. Notice of Award sent to E & B Paving. Russell Engineering Associates, Inc. to prepare contracts.

2. AWARD: Resolution 6331-94, E. State Blvd./Randallia Drive Improvements to Wayne Asphalt & Construction Company, Inc. in the amount of $1,283,850.59 (CEDIT BOND);
Jim Owen moved approval of award for Resolution #6331-94 to Wayne Asphalt & Construction Company, Inc. in the amount of $1,283,850.59. Motion carried. Notice of Award sent to Wayne Asphalt & Construction Company, Inc. Bonar & Associates, Inc. to prepare contracts.

3. Approval of Public Hearing Minutes of May 11, 1994;
Jim Owen moved approval of Public Hearing Minutes of May 11, 1994. Motion carried. Public Hearing Minutes approved as distributed.

4. Approval of Board Minutes of May 18, 1994;
Jim Owen moved to table Board Minutes of May 18, 1994 for one week until full Board is seated. Motion carried. Board Minutes of May 18, 1994 tabled for one week.

5. Approval of Public Hearing Minutes of May 18, 1994;
Jim Owen moved to table Public Hearing Minutes of May 18, 1994 for one week until full Board is seated. Motion carried. Public Hearing Minutes of May 18, 1994 tabled for one week.

6. Received Special Street Permit from W & M Anderson Development Company to construct the following streets in Westwood North Section IV:

   Windrush Drive
   Lykeway Court
   Sanderling Drive
   Jim Owen moved approval of Special Street Permit from W & M Anderson Development company to construct the above streets in Westwood North Section IV. Motion carried. Copy on file.

7. Contract 6326-94 between Tomco Construction Company and the City of Fort Wayne for Hazelwood/Bolton/Edgewater Improvement for street, curb & sidewalk reconstruction in the amount of $42,577.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6326-94 between Tomco Construction Company and the City of Fort Wayne in the amount of $42,577.00. Motion carried. Notice to Proceed sent.

8. Contract 6328-94 between Brooks Construction Co., Inc. and the City for Lynn Avenue Improvement - California Avenue to Florida Avenue in the amount of $79,684.75 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Contract 6328-94 between Brooks Construction Co. Inc. and the City in the amount of $79,684,75. Motion carried. Notice to Proceed sent.

9. Contract 6335-94 between Brooks Construction Co., Inc. and the City for Ludwig Road - Lima Road to Coldwater Road in the amount of $134,695.86 (CEDIT BOND);
Jim Owen moved approval of Contract 6335-94 between Brooks Construction Co., Inc. and the City in the amount of $134,695,86. Motion carried. Contract 6335-94 approved subject to Council approval.

10. Parking Lot Use Agreement received from Germanfest Committee of Fort Wayne to use the Old Fort Parking Lot beginning June 4, 1994 and ending June 12, 1994 for Germanfest Festival Tent. Total charge is $1,352.00;

    Linda Buskirk, Board of Works, explained to the Board that there are different rates for different lots. Some lots are more expensive because of having to relocate people who park in those lots.
    Jim Owen moved approval of Parking Lot Use Agreement received from Germanfest Committee of Fort Wayne to use the Old Fort Parking Lot beginning June 4, 1994 and ending June 12, 1994 for Germanfest Festival Tent. Motion carried. Copy on file.

11. Parking Lot Use Agreement received from German Heritage Society to use Freimann Square Parking Lot beginning June 4, 1994 and ending June 12, 1994 for Germanfest 1994. Total charge is $662.00;
Jim Owen moved approval of Parking Lot Use Agreement received from German Heritage Society to use Freimann Square Parking beginning June 4, 1994 and ending June 12, 1994 for Germanfest 1994. Motion carried. Copy on file.

12. Parking Lot Use Agreement received from Fort Wayne Chapter-Indiana Black Expo to use Freimann Square Parking Lot beginning June 16, 1994 and ending June 18, 1994 for a Mini Festival. Total charge is $248.00;
Jim Owen moved approval of Parking Lot Use Agreement received from Fort Wayne Chapter-Indiana Black Expo to use Freimann Square Parking Lot beginning June 16, 1994 and ending June 18, 1994 for a Mini Festival. Motion carried. Copy on file.

13. Escrow Agreement received from Bowen Engineering Corporation in connection with the Sludge Thickening Facility project. Escrow Agent is NBD Bank;

    Terry Atherton advised the Board that the Indiana State Statutes dictate that all projects over $100,000 require an escrow agreement and the amount to be deposited into the escrow account is 5%.
    Jim Owen moved approval of Escrow Agreement received from Bowen Engineering Corporation in connection with the Sludge Thickening Facility project. Motion carried. Copy forwarded to Escrow Agent NBD Band.

14. **RESOLUTION 522-1994,** Canterbury Relief Sewer (SEWER UTILITY);

    Tom Pallone apprised the Board of the following; because an existing 15" diameter sanitary sewer, South of St. Joe Center Road and West of St. Joe Road is undersized and has experienced excessive surcharge conditions, it is necessary to construct a relief sanitary sewer unconnected with and parallel to the existing sanitary sewer.
    Jim Owen moved approval of Resolution 522-1994. Motion carried. Copy herein incorporated.

15. **IMPROVEMENT RESOLUTION 6345-94,** Maplewood Road Pavement Restoration - Bluffton Road to Pinedale Drive. Removing and replacing cracked and deteriorated 6" plain concrete pavement (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6345-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 6/3/94 and 6/15/94 with date to receive bids on June 15, 1994.

16. Novation between Wade Miller Associates, Inc., Vista Consulting Group, Inc., and the City of Fort Wayne to substitute Vista for WMA. This amends the contract for consulting services between WMA and the City of Fort Wayne. WMA will be completely released from its rights and obligations under the Agreement which will be fulfilled by Vista Consulting Group, Inc.;

    Terry Atherton, Utility Administration apprised the Board of the following; WMA and the City entered into agreement on March 30, 1994, The parties to this original agreement now desire to substitute Vista for WMA. WMA has recently formed Vista for the purpose of transferring its non-Environmental Protection Agency contracts to Vista and subsequently selling all of the outstanding stock of Vista to Wade Miller, the sole shareholder of WMA. At or about the same time, G. Wade

Miller will sell all of his shares of WMA to the Cadmus Group, Inc. With the exception of Vista for WMA, the Agreement shall remain in full force and effect.
Jim Owen moved approval of Novation between Wade Miller Associates, Inc., Vista Consulting Group, Inc. and the City of Fort Wayne. Motion carried. Copy on file in vault.

17. Secondary Subdivision Plat for Fieldstone Place;

Wayne O'Brien, Zoning, stated that this is a residential subdivision to be used mainly for duplexes. The conditions have been satisfied and the Plan Commission has signed the plat.
Jim Owen moved approval of Secondary Subdivision for Fieldstone Place. Motion carried. Plat forwarded to Zoning for their handling.

18. Revolving Barrett Law claims in the amount of $31,147.07.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $31,147.07. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for handling.

19. Claims approval in the amount of $16,927,411.13;
Jim Owen moved approval of claims in the amount of $16,927,411.13 Motion carried. Claims forwarded to General Accounting for handling.

20. Financial presentation given by Mike Claytor, Municipal Consultants;

Mike Claytor, apprised the Board of the following; Municipal Consultants have been retained by City Utilities to analyze the need for a rate increase.

As a result of the analysis City Utilities Administrators and Mayor Paul Helmke are recommending a 28.69% increase in the rate charged to City Utilities customers for water. The last water rate went into effect in March of 1990 and the Water Utility's infrastructure and fiscal health requires another rate increase.

A rate increase proposal must be approved by the Board of Works, the Fort Wayne City Council and the Indiana Utility Regulatory Commission. The IURC is the body charged with making sure utilities are providing reliable utility service at a reasonable cost. The process takes approximately 8 months but may take 16 months or longer.

A rate increase is needed because the Utility still money for capital improvements. The estimated cost of capital improvements during the years 1995-1999 are $14.5 million. Also an increase is needed to fund $3.5 million cash operating deficit and to pay $280,000 per year in increased annual operating costs.

At this time, there is no practical way for the Water Utility to avoid a rate increase and still maintain a viable water supply. Unless the Utility increases revenue to build up reserves in the fund used to make bond payments, it would be declared in default on existing bond issues. That will raise the cost of issuing bonds in the future, make it impossible for any department in City Utilities to issue bonds to finance capital projects, and possibly affect other bond issues for City government.

21. **RESOLUTION** to approve and recommend to Common Council a 28.69% increase in rates and charges assessed to Fort Wayne Water Utility customers;
Jim Owen moved to table Resolution to approve and recommend to Common Council a 28.69% increase in rates and charges assessed to Fort Wayne Water Utility customers.

22. Old Business;

None.

23. New Business;

None.

24. **Resolution 927-94,** 2600 block Springfield Ave. Storm Sewer;
Jim Owen moved approval of Resolution 927-94. Motion carried. Copy herein incorporated.

Meeting adjourned at 10:20 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

May 25, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30** a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Board of Public Works; Denny Root, Street Engineering and Betsy Meyer, Barrett Law. Katherine A. Carrier, absent.

1. Final Hearing continued from 10/27/93 - Notice of Assessment on Resolution #6251-92, Kinnaird Avenue (2) - South Wayne to Indiana Avenue.

   A property owner who lives at 702 Kinnaird complained about mounds in the parkstrip. Denny Root, Project Engineer, stated he would have the contractor cut back the mounded area one foot behind the walk on South Wayne Street. Also a property owner stated that at 805 and 813 Kinnaird trees had been removed and not replaced. Denny Root stated he would inquire about who removed the trees.
   Jim Owen moved to confirm Assessment Roll for Resolution 6251-92 with a caveat that the contractor cut back the mounded area on South Wayne Street and the Project Engineer would inquire about who removed the trees. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 11:10 a.m.

____
Charles E. Layton, Director

____
Katherine A. Carrier, Member

James Owen
____
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

9. Sewer Contract 94-S-19 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Still Water Place Section V Sanitary (PRIVATELY FUNDED);

Katherine Carrier moved approval of Sewer Contract 94-S-19 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

10. Change Order 2 received from All Star Construction Co., Inc. for Resolution 6319-93, Dike on St. Mary's River increasing the contract price by $930.00. Original contract price was $128,064.00;

David Ross, City Engineer, apprised the Board that this change order was necessary because trees had to be removed in order for I & M to relocate their power lines.

Katherine Carrier moved approval of Change Order 2 received from All Star Construction Co., Inc. for Resolution 6319-93 increasing the contract price by $930.00. Motion carried. Copy on file.

11. Change Order 1 and Final received from Crosby Excavating for Contract 93-03, Aldene Manor decreasing the contract price by $7,011.80. Original contract price was $45,144.25;

Jim Owen moved approval of Change Order 1 and Final received from Crosby Excavating for Contract 93-03 decreasing the contract price by $7,011.80. Motion carried. Copy on file.

12. RESOLUTION to approve and recommend to Common Council a 28.69% increase in rates and charges assessed to Fort Wayne Water Utility customers (TABLED FROM LAST WEEK);

Terry Atherton, Utility Administration, and Mike Claytor, Municipal Consultants, asked the Board their main concerns regarding the increase in rates.

Katherine Carrier stated that her main concern is the health of the financial position of the Water Utility and also that Council and the Indiana Utility Regulatory Committee would cut this proposal.

Jim Owen stated that he is in accordance with Katherine Carrier. He then inquired if the capital improvements would be paid out of pocket rather than bonding.

Mike Claytor apprised the Board of the following: the 5-yea

May 25, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at 10:30 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Board of Public Works; Denny Root, Street Engineering and Betsy Meyer, Barrett Law. Katherine A. Carrier, absent.

1. Final Hearing continued from 10/27/93 - Notice of Assessment on Resolution #6251-92, Kinnaird Avenue (2) - South Wayne to Indiana Avenue.

A property owner who lives at 702 Kinnaird complained about mounds in the parkstrip. Denny Root, Project Engineer, stated he would have the contractor cut back the mounded area one foot behind the walk on South Wayne Street. Also a property owner stated that at 805 and 813 Kinnaird trees had been removed and not replaced. Denny Root stated he would inquire about who removed the trees.

Jim Owen moved to confirm Assessment Roll for Resolution 1051-92 with a caveat that the contractor cut back the mounded area on South Wayne Street and the Project Engineer would inquire about who removed the trees. Motion carried. Assessment Roll sent to the Department of Finance.

Hearing adjourned at 11:10 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

June 1, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Ann Smith & Dave Ross, City Engineering; Terry Atherton, Utility Administration; Mike Claytor, Municipal Consultants; Dick Knappenberger & Rich Romary, Street Engineering; Judy Black, Right-of-Way Dept.; Steve Martin, City Utilities Accounting; Sandy Maldeney, Property Manager; Tim Warren, Water Resources; Tom Pallone & Marion Robinson, WPC Engineering; Charles Bailey & Walter Jordan, Contract Compliance; Mary Jane Slaton, Public Information Office; Linda Powell, Staff Attorney; Staci Walter, Economic Development and John Stafford, Chamber of Commerce.

1. **RECEIVE BIDS** - Resolution #6329-94, West Jefferson Blvd./West Washington Blvd. (CEDIT BOND)

Brooks Const.	254,404.75
E & B Paving	289,942.99
S. E. Johnson Companies	302,117.74
Wayne Asphalt	240,004.49
Eng. Est.	$265,000.00

MSE Consultants to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6330-94, Oakland Street Improvement - Greenlawn Ave. to Margaret Ave. (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Constr.	29,374.00
Dehner Const.	27,566.00
Key Concrete	19,742.50
Mergy Const.	19,340.70
Newell Const.	21,807.20
Tomco Const.	21,535.12
Eng. Est.	$22,599.00

Street Engineering to tabulate and report.

3. **RECEIVE BIDS** - Resolution 6340-94, Spy Run Ave./Clinton St. Curbface Walk Improvements (CEDIT NEIGHBORHOOD FUNDED)

Brooks Constr.	76,414.50
Dehner Const.	53,570.00
Key Concrete	59,854.00
Mergy Const.	44,605.84
Newell Const.	44,636.60
Eng. Est.	$55,199.50

Street Engineering to tabulate and report.

4. Approval of Board Minutes of May 18, 1994 (TABLED FROM LAST WEEK);
Katherine Carrier moved approval of Board Minutes of May 18, 1994. Motion carried. Minutes approved as distributed.

5. Approval of Public Hearing Minutes of May 18, 1994 (TABLED FROM LAST WEEK);
Katherine Carrier moved approval of Public Hearing Minutes of May 18, 1994. Motion carried. Minutes approved as distributed.

6. Approval of Board Minutes of May 25, 1994;
Jim Owen moved approval of Board Minutes of May 25, 1994 as corrected. Motion carried. Minutes approved as corrected.

7. Approval of Public Hearing Minutes of May 25, 1994;
Jim Owen moved approval of Public Hearing Minutes of May 25, 1994 as corrected. Minutes approved as corrected.

8. Water Contract 9404 between North Eastern Construction Co., Inc. and the Fort Wayne Water Utility to construct water main systems to serve Still Water Place Section V (PRIVATELY FUNDED);
Katherine Carrier moved approval of Water Contract 9404 between North Eastern Construction Co., Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

9. Sewer Contract 94-S-19 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Still Water Place Section V Sanitary (PRIVATELY FUNDED);
Katherine Carrier moved approval of Sewer Contract 94-S-19 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

10. Change Order 2 received from All Star Construction Co., Inc. for Resolution 6319-93, Dike on St. Mary's River increasing the contract price by $930.00. Original contract price was $128,064.00;

    David Ross, City Engineer, apprised the Board that this change order was necessary because trees had to be removed in order for I & M to relocate their power lines.
    Katherine Carrier moved approval of Change Order 2 received from All Star Construction Co., Inc. for Resolution 6319-93 increasing the contract price by $930.00. Motion carried. Copy on file.

11. Change Order 1 and Final received from Crosby Excavating for Contract 93-03, Aldene Manor decreasing the contract price by $7,011.80. Original contract price was $45,144.25;
Jim Owen moved approval of Change Order 1 and Final received from Crosby Excavating for Contract 93-03 decreasing the contract price by $7,011.80. Motion carried. Copy on file.

12. **RESOLUTION** to approve and recommend to Common Council a 28.69% increase in rates and charges assessed to Fort Wayne Water Utility customers (TABLED FROM LAST WEEK);

    Terry Atherton, Utility Administration, and Mike Claytor, Municipal Consultants, asked the Board their main concerns regarding the increase in rates.

    Katherine Carrier stated that her main concern is the health of the financial position of the Water Utility and also that Council and the Indiana Utility Regulatory Committee would cut this proposal.

    Jim Owen stated that he is in accordance with Katherine Carrier. He then inquired if the capital improvements would be paid out of pocket rather than bonding.

    Mike Claytor apprised the Board of the following; the 5-year projection is to spend an average of 2.9 million annually on out of pocket capital improvements. The first year will be less since the City has to build up cash before spending. Once the City gets out of debt, and a significant part of the debt drops off, the City can be more agressive with out of pocket capital improvements or be able to do more bonding on top of that.

    Jim Owen inquired what Municipal Consultants is pursuing for capital expenditures for the Water Utility that the City should do.

    Mike Claytor said the Water Utility should create a capital improvements list and target a multiplier of revenues. Municipal Consultants is proposing 12.5% of operating revenues as being the target of where the City should be for capital improvements. That translates in 17% of the 28% of the increase.

    Jim Owen solicited the opinion of John Stafford, Chamber of Commerce, regarding capital improvement needs and the projected 2.9 expenditure for capital improvements.

    John Stafford apprised the Board of the following; at present the cash position is a concern as it relates to capital improvements and has curtailed the Utilities options. He stated it is difficult to respond to Economic Development opportunities and he also stated rates should be revisited on a regular basis. He stated the City is going in the right direction in recommending the 28.69% rate increase.

    Mr. Stafford also stated there are additional laterals needed in the south west portion of Fort Wayne for future growth and the water supply needs to be examined to ensure the City has adequate capacity to convey an ample supply of water for users in that area.

    Mike Claytor stated the Municipal Consultants projection is for the Water Utility to be even or plus in 5 years.

    Katherine Carrier inquired about the cost of processing the rate increase in terms of consulting fees and other out of pocket costs.

Mike Claytor stated on the average it costs $75,000 to take a case through the IURC.

Katherine Carrier requested that the Board be kept up to date regarding the process with IURC.
Katherine Carrier moved approval of Resolution to approve and recommend to Common Council a 28.69% increase in rates and charges assessed to Fort Wayne Water Utility customers. Motion carried. Copy herein incorporated.

13. **EMERGENCY RESOLUTION** to repair a 24" combination sewer in the alley east of 3500 block of South Harrison;

    Tom Pallone apprised the Board of the following; this existing 24" combination sewer was installed in 1914 and it has collapsed restricting normal flow of sewage. The line was televised and there are only two pieces of the tile hanging so it is not necessary to repair the entire line. Performance Pipelining Inc., Dehner Construction Inc., Bercot-Gibson Construction Co., Inc. and T-G Incorporated were invited to submit quotes on the repair. This is to be funded out of Sanitary Sewer Utility Budget.
    Jim Owen moved approval of Emergency Resolution repair a 24" combination sewer in the alley east of the 3500 block of South Harrison. Motion carried. Purchasing to issue Emergency Purchase Order to the contractor chosen for said repair.

14. Revolving Barrett Law claims in the amount of $283.99.
    Katherine Carrier moved approval of Revolving Barrett Law claims in the amount of $283.99. Motion carried. Claims forwarded to Barrett Law Office for payment.

15. Old Business:

    None.

17. New Business:

    None.

Meeting adjourned at 9:55 a.m.

____
Charles E. Layton, Director

Kathe A. Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

June 1, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at 10:30 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Board of Public Works; Jeff Grogg, Street Engineering and Betsy Meyer, Barrett Law. Katherine A. Carrier, absent.

1. Hearing - Notice to Property Owners - Improvement Resolution 6344-94, Illsley Drive Alley Reconstruction.
   Jim Owen moved to confirm Improvement Resolution 6344-94. Motion carried. Remonstrance period up on June 13, 1994.

Hearing adjourned at 10:35 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

June 8, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Thelma A. Morris, Clerk Protem

PRESENT: Katherine A. Carrier, C. James Owen, Thelma A. Morris, Linda Buskirk, Board of Public Works; David Ross, City Engineering; Jeff Grogg & Richard Knappenberger, Street Engineering; Walter Jordan & Charles Bailey, Contract Compliance; Pat Callahan, Tom Pallone & Mike Hicks, WPC Engineering; Gary Stair, Brian White, Loren Kravig, Beth Neu and Wayne O'Brien, C&ED; Terry Atherton, Utility Administration; Tim Warren, Water Resources; Rick Orr, Right-of-Way; Tom Manny, Traffic Engineering; Steve Martin, City Utilities Accounting; Mary Jane Slaton, Public Information Office; Linda Hossinger, Comcast Cablevision; Steven Wordelman & Brian Houghton, Jones & Henry Engineers, Inc. Charles E. Layton & Patricia J. Crick absent;

In Charles Layton's absence, C. James Owen called the meeting to order at 9:00 a.m.

1. **RECEIVE BIDS** - Resolution #6339-94, Neighborhood Commercial Capital Improvements - Package 93-B (CDBG)

Brooks Const.	34,060.24
Dehner Inc.	30,161.25
Key Concrete Inc.	26,357.50
Mergy Const.	25,854.00
Newell Const.	31,915.00
Eng. Est.	$27,590.00

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6341-94, Lawton Place Resurfacing - Griswold Drive to Spy Run Avenue (CEDIT NEIGHBORHOOD FUNDED)

Brooks Const.	28,767.50
E & B Paving	30,976.50
S. E. Johnson Cos.	36,659.75
Wayne Asphalt	28,576.00
Eng. Est.	$34,198.80

Street Engineering to tabulate and report.

3. AWARD: Resolution 6330-94, Oakland Street Improvement, Greenlawn Avenue to Margaret Avenue to Mergy Construction Co. in the amount of $19,340.70 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Katherine Carrier moved approval of Award for Resolution 6330-94 to Mergy Construction Co. in the amount of $19,340.70. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

4. AWARD: Resolution 6340-94, Spy Run Avenue/Clinton Street Curbface Walk Improvements to Mergy Construction Co. in the amount of $44,605.84 (CEDIT NEIGHBORHOOD);
Katherine Carrier moved approval of Award for Resolution 6340-94 to Mergy Construction Co. in the amount of $44,605.84 Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

5. Approval of Board Minutes of June 1, 1994;
Katherine Carrier moved approval of Board Minutes of June 1, 1994. Motion carried. Minutes approved as distributed.

6. Approval of Public Hearing Minutes of June 1, 1994;
Katherine Carrier moved to table Public Hearing Minutes of June 1, 1994 for two weeks due to quorum not being present. Motion carried. Public Hearing Minutes tabled for 2 weeks.

7. Change Order 1 received from Tomco Construction Co., Inc. for North Clinton Street Pavement Repair decreasing the contract price by $2,267.30. Original contract price was $12,915.20;
Katherine Carrier moved approval of Change Order 1 from Tomco Construction Co., Inc. for North Clinton Street Pavement Repair decreasing the contract price by $2,267.30. Motion carried. Copy on file.

8. Change Order 1 received from Tomco Construction Co., Inc. for Miscellaneous Invitational Bid Package 6 increasing the contract price by $1,699.44. Original contract price was $15,570.00;

Katherine Carrier moved approval of Change Order 1 received from Tomco Construction Co., Inc. for Miscellaneous Bid Package 6 increasing the contract price by $1,699.44. Motion carried. Copy on file.

9. Change Order 1 received from Wayne Asphalt & Construction Co. for Resolution 6322-93, Taylor Street Resurfacing increasing the contract price by $351.60. Original contract price was $54,472.60;
Katherine Carrier moved approval of Change Order 1 received from Wayne Asphalt & Construction Co. for Resolution 6322-93. Motion carried. Copy on file.

10. Received from Street Light Engineering Neighborhood Request for Additional Street Lights (CEDIT);

First District	Cost
Maplecrest Road	$40,000.00

Second District	Cost
Old Brook Farm Addition	$ 4,000.00

Tom Manny, Traffic Engineering, stated this request has been already been approved in the budget and is for information only.

11. Auto Liability and General Liability Claims in the amount of $46,111.20 per City Ordinance G-18-89;
Katherine Carrier moved approval of Auto Liability and General Liability Claims in the amount of $46,111.10. Motion carried. Auto Liability and General Liability Claims forwarded to Risk Management for their handling. Copy on file.

12. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $66,550.57;

Steve Martin, City Utilities Accounting, stated that this request is for the period of December 1993 through May 1994 and that usually this request is presented quarterly.
Katherine Carrier moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $66,550.57. Motion carried. Deliquent accounts forwarded to City Utilities Accounting for their handling.

13. Sewer Contract 94-S-15 between Lexington Building Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Concord Place Section 2 and 4 Sanitary Extension (PRIVATELY FUNDED);
Katherine Carrier moved approval of Sewer Contract 94-S-15 between Lexington Building Corp. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

14. **Resolution** from Fort Wayne Community Schools for Right of Way Vacation for portions of Clinton Court, Darrow Avenue and the existing alley. Routing has been finalized and staff approves;

Rick Orr stated that this Right of Way Vacation is in connection with the South Side Renovation.
Katherine Carrier moved approval of Resolution from Fort Wayne Community Schools for Right of Way Vacation for portions of Clinton Court, Darrow Avenue and the existing alley. Motion carried. Copy on file.

15. **Improvement Resolution #6346-94,** Clinton Street, Coldwater Road resurfacing - Northrop Street to Coliseum Blvd.; Coldwater Road Water Main Replacement - Clinton Street to Coliseum Blvd. (CEDIT BOND);
Katherine Carrier moved approval of Improvement Resolution #6346-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 6/10 & 6/17/94 with date to receive bids 6/29/94.

16. **Resolution** authorizing an extension of the term of the franchise granted to Comcast Cablevision of Indiana, L.P. to operate a cable communications system in the City of Fort Wayne;

Linda Buskirk, Administrative Assistant, Board of Public Works, stated that the City has been in negotiations with Comcast for franchise renewal but agreeable terms have not been finalized. The negotiations should conclude in about 2 months. The current franchise extension expires on June 19, 1994 and the above mentioned resolution would extend the franchise through August 19, 1994. This is the third extension.

Katherine Carrier requested additional information or a presentation before approving franchise renewal and Linda Buskirk agreed to do so.

Katherine Carrier moved approval of Resolution authorized an extension of the term of the franchise granted to Comcast Cablevision in Indiana, L. P. to operate a cable communications system in the City of Fort Wayne subject to Council approval. Motion carried. Copy herein incorporated.

17. Grant of Easement received from GTE North, Incorporated, for Bicentennial Welcome Marker located in Section 24, Township 30 North, Range 11 East, in Aboite Township, Allen County, Indiana;
Katherine Carrier moved approval of Grant of Easement received from GTE North, Incorporated, for Bicentennial Welcome Marker. Motion carried. Copy on file in vault.

18. Taxi Cab License Applicant Allen Dale Cook;
Katherine Carrier moved to deny Taxi Cab License Applicant Allen Dale Cook based upon recommendation from Police Chief, Neil Moore. Motion carried. Intent to Deny Letter sent.

19. Claims approval in the amount of $16,297,713.74 for the week of June 2, 1994;
Katherine Carrier moved to defer for discussion agenda items 19 and 20 for further review. Motion carried. Agenda items 19 & 20 deferred. After further review Katherine Carrier moved approval of claims in the amount of $16,297,713.74 for the week of June 2, 1994. Motion carried. Claims forwarded to General Accounting for their handling.

20. Claims approval in the amount of $2,704,813.36 for the week of June 8, 1994;
Atfer further review Katherine Carrier moved approval of claims in the amount of $2,704,813.36. Motion carried. Claims forwarded to General Accounting for their handling.

21. Presentation by Jones & Henry Engineers Inc. on Waste Water Master Plan;

In response to a request by Members of the Board of Public Works, Steven L. Wordelman, Corporate Secretary/Principal and Brian W. Houghton, Director - Fort Wayne Office, Jones & Henry Engineers, Inc., gave an update on the Master Plan. Handouts were distributed.

Steven L. Wordelman stated that the first two phases of the Master Plan involve data collection and data analysis and findings. These phases have been evolving 8 or 9 months.

Jones & Henry Data analyzed two years worth of operating data to determine the loadings on the plant and the operation efficiency of the different processes. They ran a hydraulic analysis of the plant to determine the hydraulic capability of the plant. Their initial findings was that the performance of the plant is excellent and in general is in compliance of the permit. The dry weather capacity is probably higher than the rated 60 mgd capacity. For future flows, Jones & Henry is projecting a 8.8 increase in 20 years. The loading limitations for hydraulic is 90 mgd maximum.

On the alternative side, stormwater ponds are creating permit violations. The solids disposal method is not in compliance with regulations and the aeration system needs more efficient equipment which would save considerable money.

A stress test will be performed at the plant to determine actual capacity. Meetings have been held with IDEM and future meetings are scheduled with USEPA to help with this procedure. The stress test involves monitoring by putting more flow through fewer tanks and taking tanks off line to see how much flow can go through until there is actually a deterioration of the plant outflow and then it is stopped. Conceptual alternatives to be examined are hydraulic expansion and solids disposal.

Katherine Carrier inquired if staff time was utilized in gathering plant records and information in minimizing use of consultant time.

Mr. Wordelman stated that most of the operating data was already on the computer system and Jones & Henry were provided computer files.

Jim Owen inquired if the 1985 Master Plan established a rating.

Mr. Wordelman stated that the 1985 Master Plan established more of a theoretical rating than based upon design parameters and this was how the original capacity was established, but it will enable Jones & Henry to try actual on-site testing.

Brian Houghton then briefly updated the Board on how Jones & Henry arrived at the 8.8 mgd.

Steve Wordelman then apprised the Board of the following regarding the findings of the data collections; after Jones & Henry determined the area served by the existing system and the characteristics, a concept was developed for identifying where growth could occur.

Jones & Henry must address regulations of the combined system and the overflow issue. At the present time, regulations are being developed and refined by the Federal Government and the State. In the separate areas, there is extraneous flow getting into the sewer system and that has to be identified and city flow monitoring records are being used. Once the growth of the system is established, I & I (infiltration and inflow) will be examined.

EPA's concerns must be addressed of abating the overflows to the river and the water quality.

Alternatives that need to be prioritized are as follows:

a. Current Conditions
b. Future Conditions
c. Current Laws
d. Anticipated Laws
e. Economic Savings

Katherine Carrier inquired about the cost and the time table of this plan.

Steven Wordelman stated that on the Waste Water portion the cost will be approximately $230,000 and the final document is due at the end of July. Mr. Wordelman also stated that Jones & Henry are about one month behind on that delivery date.

Jim Owen inquired if Jones & Henry had addressed the issue of loss of population in urban areas.

Steven Wordelman stated that they had not reviewed that in detail yet but felt it would not be significant as the main interceptors would still be used.

Jim Owen then inquired if the City could dictate growth by the placement of a critical mass of utilities in a certain direction in relation to industrial and commercial growth.

Steven Wordelman stated he felt that it is a local issue but it is possible.

Jim Owen and Katherine Carrier inquired about the conjecture of other master plans with this plan and how to make this user implemented.

Steven Wordelman stated they would be giving the City a tool by giving them computer programs and hard copy of this plan to incorporate with other plans. Also some of the data will entered into the GIS system.

Pat Callahan, WPC Engineering, apprised the Board of the following; after this plan is accepted, he would like to obtain an official status from the Board. Also either a quarterly or annual update will be given. A number of maps will be generated that will make sewer information available to more people, especially to planners. He stated that the Engineering Staff would start a program of flow monitoring to verify activities in each area and use that as a trigger mechanism.
Katherine Carrier moved to accept the Jones & Henry presentation as an informational item. Motion carried. Copy of handouts on file.

22. Old Business:

Katherine Carrier requested a status report on the subcontracting painting and vehicle repair. Kathy Friend is to respond.

Jim Owen inquired about status of the Utility budget.

Terry Atherton stated that the budget process has not started and they are still working on the C.I.P. process.

23. New Business:

Katherine Carrier asked about the Executive Report Newsletter.

Mary Jane Slaton, Public Information Office, stated this newsletter is for commercial and industrial utility customers.

Katherine Carrier then asked why the City doesn't do this for residential customers.

Mary Jane Slaton stated the City is in the process of a City-wide newsletter that would go to residential customers which would address utility issues and many other City issues.

Terry Atherton, Utility Administration, stated that the City does a bill stuffer for residential customers with some information on storm water.

Jim Owen inquired about the status of the follow-up by Denny Root, Street Engineering, on the Kinnaird Street project. Denny Root is to respond.

Meeting adjourned at 10:28 a.m.

Charles E. Layton, Director

Katherine A. Carrier

Katherine A. Carrier, Member

James Owen

C. James Owen, Member

ATTEST Thelma A. Morris

Thelma A. Morris, Clerk Protem

June 15, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Thelma A. Morris, Clerk Protem

PRESENT: Ann Smith & Dave Ross, City Engineering; Sandy Maldeney, Property Manager; Charles Bailey & Cary Anzini, Intern, Contract Compliance; Terry Atherton & Deb Farrell, Utility Administration; Pat Callahan & Mike Thornson, WPC Engineering; R. David Boyer, Associate City Attorney. Charles E. Layton and Patricia J. Crick absent.

In Charles Layton's absence, C. James Owen called the meeting to order at 9:00 a.m.

1. **RECEIVE BIDS** - Resolution #6342-94, Brooklyn Avenue - Bluffton Road to Norfolk Southern Railroad (CEDIT BOND)

Brooks Const.	157,232.50
Dehner Inc.	196,461.00
Eng. Est.	$225,000.00

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6345-94, Maplewood Road Pavement Restoration (CEDIT NEIGHBORHOOD)

Brooks Const.	56,907.40
Dehner Inc.	71,356.80
Key Concrete Inc.	59,683.40
Mergy Const.	60,775.35
Newell Const.	57,228.80
Eng. Est.	$64,629.00

Street Engineering to tabulate and report.

3. AWARD: Resolution 6341-94, Lawton Place Resurfacing - Griswold Drive to Spy Run Avenue to Wayne Asphalt & Construction Co. in the amount of $28,576.00 (CEDIT NEIGHBORHOOD);
Katherine Carrier moved approval of Award for Resolution 6341-94 to Wayne Asphalt & Construction Co. in the amount of $28,576.00. Motion carried. Notice of award sent. Street Engineering to prepare contracts.

4. AWARD: Resolution 6339-94, Neighborhood Commercial Capital Improvement Package 93-B to Mergy Construction Co. in the amount of $25,854.00 (CDBG);
Katherine Carrier moved approval of Award for Resolution 6339-94 to Mergy Construction Co. in the amount of $25,854.00. Motion carried. Street Engineering to prepare contracts.

5. AWARD: Resolution 6332-94, Hanna Street Improvements to S.E. Johnson Companies, Inc. in the amount of $341,870.43 (CEDIT BOND & SEWER UTILITY) **Prior Approval Requested;**
Katherine Carrier moved approval of Award for Resolution 6332-94 to S. E. Johnson Companies, Inc. in the amount of $341,870.43 and Prior Approval Request. Motion carried. HNTB to prepare contracts.

6. AWARD: Resolution 6329-94, W. Jefferson/W. Washington Blvd., Thieme to Broadway to Wayne Asphalt Construction Co., Inc. in the amount of $240,004.49 (CEDIT BOND) **Prior Approval Requested;**
Katherine Carrier moved approval of Award for Resolution 6329-94 to Wayne Asphalt Construction Co., Inc. in the amount of $240,004.49 and Prior Approval Request.

7. Approval of Board Minutes of June 8, 1994;
Katherine Carrier moved approval of Board Minutes of June 8, 1994. Motion carried. Minutes approved as corrected and distributed.

8. **Improvement Resolution No. 6347-94**, Winter Street Reconstruction (CEDIT NEIGHBORHOOD);

Katherine Carrier moved approval of Improvement Resolution No. 6347-94. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners 6/17 & 6/24/94 with date to receive bids.

9. Received recommendation from WPC Engineering to accept the work performed on Contract 93-S-20, Stellhorn Plaza - Rinehold Real Estate Sanitary Sewer as an integral part of the City's Sanitary Sewer System;
Katherine Carrier moved to accept the work performed on Contract 93-S-20. Motion carried. Acceptance letter sent to MNJ Yoder, Inc.

10. Received recommendation from WPC Engineering to accept the work performed on Contract No. 93-S-36, Hampton Village Phase II as an integral part of the City's Sanitary Sewer System;
Katherine Carrier moved to accept the work performed on Contract 93-S-36. Motion carried. Acceptance letter sent to Scheidleman Excavating.

11. Water Contract No. 9405 between North Eastern Construction Co., Inc. and Fort Wayne Water Utility to construct water main systems to serve Chandler's Landing Section IV (PRIVATELY FUNDED);
Katherine Carrier moved approval Water Contract 9405 between North Eastern Construction Co., Inc. and Fort Wayne Water Utility. Motion carried. Copy on file.

12. Sewer Contract No. 94-S-16 between North Eastern Construction Co., Inc. and Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve La Cabreah Section II Sanitary Extension (PRIVATELY FUNDED);
Katherine Carrier moved approval Sewer Contract No. 94-S-16 between North Eastern Construction Co., Inc. and Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

13. Contract No. 6333-94 between Brooks Construction Co., Inc., and the City to improve Coldwater Road from Coliseum Blvd. to Collins Road, in the amount of $309,556.89 (REDEVELOPMENT COMMISSION);
Katherine Carrier moved approval Contract 6333-94 between Brooks Construction Co., Inc., and the City in the amount of $309,556.89. Motion carried. Contract approved subject to Council approval.

14. Change Order 1 received from Tomco Construction Co., Inc. for Miscellaneous Invitational Bid Pkg. 5, decreasing the contract price by $1,109.50. Original contract price was $3,888.00;
Katherine Carrier moved approval of Change Order received from Tomco Construction Co., Inc. for Miscellaneous Invitational Bid Pkg. 5 decreasing the contract price by $1,109.50. Motion carried. Copy on file.

15. Change Order 1 received from Louis Lee Lengacher, Inc., for Renovation of Police Operation Center decreasing the contract price by $858.00. Original contract price was $227,450.00;
Katherine Carrier moved approval of Change Order received from Louis Lee Lengacher, Inc. for Renovation of Police Operation Center decreasing the contract price by $858.00. Motion carried. Copy on file.

16. Received request for Waiver of Barricade Fees by Fort Wayne Historical Society for Victorian Street Fair, Barr Street between Berry and Wayne Streets on Saturday, June 25, 1994;
Katherine Carrier moved approval of Waiver of Barricade Fees by Fort Wayne Historical Society for Victorian Street Fair to be held on Saturday June 25, 1994. Motion carried. Fees to be waived.

17. Access Agreement between George Azar (Taco Cabana), Chris and H. Sue Vincent (Arby's Landlord), RTM Mid American, Inc. (Arby's) and the City of Fort Wayne Board of Public Works;

David Ross, City Engineer, apprised the Board of the following:

I. Traffic Engineering Department will approve the amended improvement location permit #C-3701 and certificate of compliance.

II. Arby and Arby's Landlord shall have the existing west access driveway approach removed and right-of-way restored with curb, park strip, and sidewalk matching abutting public facilities, estimated to cost approximately $1,500.

III. Taco Cabana shall allow access through site to vehicles ingressing and egressing both Taco Cabana and Arby's sites.

IV. Traffic Engineering will study traffic accident rate for the section of Washington Center Road from proposed Taco Cabana access driveway east to Coldwater Road for a period of 2 years after Taco Cabana has received Certificate of Occupancy and if rate exceeds ten (10) within that time period, will order Taco Cabana to have installed unmountable median to restrict left turn movement.

V. Taco Cabana will install unmountable median if directed by Traffic Engineering through the Board of Public Works. Payment for such shall be secured by a Performance and Guaranty Bond or escrowed money in the amount of $12,000 provided by Taco Cabana. Installation cost is less than the above amount, difference shall be returned to Taco Cabana.
Katherine Carrier moved approval of Access Agreement between George Azar (Chris and H. Sue Vincent) Arby's Landlord), RTM Mid American, Inc. (Arby's) and the City of Fort Wayne Board of Public Works. Motion carried. Copy herein incorporated.

18. Taxi Cab License Renewal Daniel David Wind;
Katherine Carrier moved approval of Taxi Cab License Renewal for Daniel David Wind. Motion carried. License to be renewed.

19. Claims approval in the amount of $11,978,488.00 for the week of June 15, 1994;
Katherine Carrier moved approval of Claims in the amount of $11,978,488.00. Motion carried. Claims forwarded to Civil City Accounting for their handling.

20. Old Business:

I. Katherine Carrier inquired about Resolution 6329-94, W. Jefferson/W. Washington Blvd. Wayne Asphalt bidding only $1.00 on an item when the engineers thought it was pretty important.

David Ross, City Engineer, stated Wayne Asphalt had been contacted and they said that because it is primarily a resurfacing project they did not feel constructing engineering was a bid concern and they could handle that by distributing the cost on other items.

II. Katherine Carrier inquired about the status of Washington Center Road Improvements.

David Ross, City Engineer, stated that the staff had decided not to ask City Council this week for a "prior approval" which would allow for immediate construction of this project.

The widening would eliminate the park strip of grass which exists between the sidewalk and the street. The Washington Center Road residents oppose this design and say they are worried about losing more of their front yards to the street, and they fear for the safety of pedestrians if the park strip is eliminated. The staff believes the reconstructed six-foot-wide sidewalks will be safe for pedestrians, and the street will be safer for traffic because the new turn lane will separate vehicles stopped to turn left from vechicles which are moving.

Alternatives offered by some Washington Center Road property owners include:

a. Eliminating all left-turns off of Washington Center at Dartmouth Drive.

b. Closing access to Dartmouth from other local streets such as Larch Lane.

c. Installing a left-turn arrow on the light at Dartmouth without adding a separate turn lane.

d. Waiting until I-469 is completed to see if bypass will relieve congestion.

The above alternative proposals are being reviewed before submitting the project to City Council for funding approval in two weeks.

21. New Business:

None.

Katherine Carrier moved to adjourn the meeting. Motion carried.

Meeting adjourned at 9:40 a.m.

Charles E. Layton, Director

Kath A Carrier
Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Thelma A. Morris
Thelma A. Morris, Clerk Protem

June 22, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Sandy Maldeney, Property Manager; Ann Smith & David Ross, City Engineering; Mary Jane Slaton, Public Information Office; Rick Orr, Right-of-Way; Mike Thornson, Stormwater Engineering; Pat Callahan, Sanitary Engineering; Tim Warren, Water Resources; Charles Bailey, Contract Compliance; Terry Atherton, Utility Administration; R. David Boyer, Assoc. City Attorney; Tom Manny, Traffic Engineering; Barb Nussa, Solid Waste Manager and Linda Buskirk, Board of Public Works.

1. AWARD: Resolution 6342-94 , Brooklyn Avenue - Bluffton Road to Norfolk Southern Railroad to Brooks Construction Co., Inc. in the amount of $157,232.50 (CEDIT BOND/Storm Sewer) **(PRIOR APPROVAL REQUESTED)**;
Jim Owen moved approval of Award for Resolution 6342-94 to Brooks Construction Co., Inc. in the amount of $157,232.50. Motion carried. Notice of Award sent. GAI Consultants to prepare contracts.

2. AWARD: Resolution 6345-94, Maplewood Road Pavement Restoration to Brooks Construction Co., Inc. in the amount of $56,907.40 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 6345-94 to Brooks Construction Co., Inc. in the amount of $56,907.40. Motion carried. Notice of Award sent. Street Engineering to prepare contracts.

3. Approval of Public Hearing Minutes of June 1, 1994;
Jim Owen moved approval of Public Hearing Minutes of June 1, 1994. Motion carried. Public Hearing Minutes approved as distributed.

4. Approval of Board Minutes of June 15, 1994;
Jim Owen moved to defer agenda item #4 until a full Board was seated. Motion carried. Minutes deferred. Upon arrival, Katherine Carrier moved approval of Board Minutes of June 15, 1994. Motion carried. Minutes of June 14, 1994 approved as distributed.

5. Approval of Contract 6330-94 between Mergy Construction Co., Inc. and the City of Fort Wayne for Oakland Street Improvement - Greenlawn Avenue to Margaret Avenue in the amount of $19,340.70 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Contract 6330-94 between Mergy Construction Co., Inc., and the City of Fort Wayne in the amount of $19,340.70. Motion carried. Notice to Proceed sent.

6. Approval of Contract 6334-94 between Tomco Construction Co., and the City of Fort Wayne for Rudisill - Plaza Neighborhood Sidewalk Reconstruction in the amount of $45,542.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6334-94 between Tomco Construction Co., and the City of Fort Wayne in the amount of $45,542.00. Motion carried. Notice to Proceed sent.

7. Approval of Contract 6339-94 between Mergy Construction Co., Inc. and the City of Fort Wayne for Neighborhood Commercial Capital Improvement - Package 93B in the amount of $25,854.00 (CDBG);
Jim Owen moved approval of Contract 6339-94 between Mergy Construction Co., Inc. and the City of Fort Wayne in the amount of $25,854.00. Motion carried. Notice to Proceed sent.

8. Approval of Contract 6340-94 between Mergy Construction Co., Inc. and the City of Fort Wayne for Spy Run Avenue/Clinton Street Curbface Walk Improvements in the amount of $44,605.84 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6340-94 between Mergy Construction Co., Inc. and the City of Fort Wayne in the amount of $44,605.84. Motion carried. Notice to Proceed sent.

9. Approval of Contract 6341-94 between Wayne Asphalt & Construction Co., Inc. for Lawton Place Resurfacing - Griswold Drive to Spy Run Avenue in the amount of $28,576.00 (CEDIT NEIGHBORHOOD);

Katherine Carrier moved approval of Contract 6341-94 between Wayne Asphalt & Construction Co., Inc. in the amount of $28,576.00. Motion carried. Notice to Proceed sent.

10. Received recommendation from Storm Water Engineering to accept the work performed on Storm Sewer Contract 93-ST-04, Fieldstone Addition Storm Sewer Improvement as an integral part of the City's storm sewer system; **Jim Owen moved to accept the work performed on Storm Sewer Contract 93-ST-04 as an integral part of the City's storm sewer system. Motion carried. Acceptance letter sent to Brooks Construction Company.**

11. Received recommendation from WPC Engineering to accept the work performed on Sewer Contract 93-S-6, Northland Blvd. at Lima Road Sanitary Sewer Extension as an integral part of the City's sanitary sewer system;
Katherine Carrier moved to accept the work performed on Sewer Contract 93-S-6 as in integral part of the City's sanitary sewer system. Motion carried. Acceptance letter sent to Earth Construction, Inc.

12. Parking Lot Use Agreement received from Mary Reed, Organizer for the March for Jesus to use the City-County Building Parking Lot on Saturday, June 25, 1994. Letter received requesting waiver of the parking lot rental fees. The cost would be $110.00;
Katherine Carrier moved approval of Parking Lot Use Agreement received from Mary Reed for the March for Jesus to use the City-County Building Parking Lot on Saturday, June 25, 1994 and request to waive parking lot rental fees. Motion carried. Fees to be waived.

13. Received request for Waiver of Barricade Fees from the Fort Wayne Harley-Davidson for their annual Bike Show to be held during Three Rivers Festival, July 12, 1994 from 5:00 P.M.-11:00 P.M. on Court Street between Main and Berry Streets;
Katherine Carrier moved approval of request for Waiver of Barricade Fees from the Fort Wayne Harley-Davidson for their annual Bike Show to be held during Three Rivers Festival, June 12, 1994 from 5:00 P.M.-11:00 P.M. on Court Street between Main and Berry Streets. Motion carried. Fees to be waived.

14. Received from Street Light Engineering a Neighborhood Request for installation of additional lights in the Third District at 2700-2800 Bellevue Drive at a cost of $2,000.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Neighborhood Request for installation of additional lights in the Third District at 2700-2800 Bellevue Drive at a cost of $2,000.00. Motion carried. Lights to be installed.

15. Received request from Street Light Engineering that the street light petition for the 1900 block of Nelson Street be canceled. There is a conflict with the utilities under the sidewalk and we are unable to get an easement to set the pole. There is no other way to light up this area;
Katherine Carrier moved to table request from Street Light Engineering to cancel street light petition for the 1900 block of Nelson Street for one week. Motion carried. Request tabled for one week.

16. **EMERGENCY RESOLUTION** for pavement blow-ups which occurred on June 16, 1994 at the following locations:

    1. North Clinton, south of Northcrest - south bound.
    2. Coldwater Road, south of Essex.
    3. Hobson Road between Trier and Coliseum - south bound.
    4. 5400 block of Illinois Road.

    Charles Layton stated that 10 pavement blow-ups occurred and the other blow-ups were repaired by the Street Department.
    Katherine Carrier moved to approve Emergency Resolution for pavement blow-ups which occurred on June 16, 1994. Motion carried. Copy herein incorporated. Bids were received from Mergy Construction, James Jones, Newell Construction, Key Concrete and Dehner Construction. Purchase Order to be issued to Mergy Construction, the low bidder on all four jobs, in the amount of $15,115.40.

17. Change Order 3 received from Louis Lee Lengacher, Inc. for Renovation of Police Operations Center for electrical plug on 5th floor increasing the contract price by $100.00. Original contract price was $227,450.00;
Katherine Carrier moved approval of Change Order 3 received from Louis Lee Lengacher, Inc. for Renovation of Police Operations Center in the amount of $100.00. Motion carried. Copy on file.

18. Change Order 4 received from Louis Lee Lengacher, Inc. for Renovation of Police Operations Center to remove 7 floor plugs and not to re-install paddle fans at zero cost. Original contract price was $227,450.00; **Katherine Carrier moved approval of Change Order 4 received from Louis Lee Lengacher, Inc. for Renovation of Police Operations Center at zero cost. Motion carried. Copy on file.**

19. Revolving Barrett Law claims approval in the amount of $90,960.42; **Katherine Carrier moved approval of Revolving Barrett Law claims in the amount of $90,960.42. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.**

20. Claims approval in the amount of $227,450.00;

    Katherine Carrier inquired about miscellaneous refunds on claims, check numbers 190424 through 190526. Kathy Friend to respond. **Katherine Carrier moved approval of claims in the amount of $227,450.00. Motion carried. Claims forwarded to General Accounting for their handling.**

21. Taxi Cab License Applicant Linda R. Wind; **Jim Owen moved approval of Taxi Cab License Applicant Linda R. Wind. Motion carried. License to be issued.**

22. Old Business:

    I. Jim Owen inquired about when the Board would receive an update on privatization.

    Terry Atherton, Utility Administration, stated that Wade Miller, Consultant, would give an update around August 1, 1994.

    II. Jim Owen then inquired about the status of the Water Rate Increase.

    Terry Atherton stated that Council had a public hearing June 21, 1994 and the ordinance for the Water Rate Increase will be up for ratification June 28, 1994. At this point, Council has no recommendation on this ordinance.

    III. Jim Owen asked Pat Callahan, Sanitary Engineering, about the status of the Master Plan.

    Pat Callahan, stated that within a few weeks the City would be receiving recommendations from the Consultant.

    IV. Terry Atherton briefed the Board on the water supply situation. He stated that at this time the water supply is adequate. He also stated that residents may be able to alleviate some of the low pressure problems by using water at off-peak times.

23. New Business:

    None.

Meeting adjourned at 9:37 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

June 29, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Walter Jordan & Charles Bailey, Contract Compliance; Kerry Anzini & Andre Barnes, Interns, Contract Compliance; Ann Smith & Dave Ross, City Engineering; Tom Manny, Traffic Engineering; Wayne O'Brien, City Plan; Sandy Maldeney, Property Manager, Mary Jane Slaton, Public Information Office; Tom Jones, Street Engineer; Neil Wisler, WPC Plant; Barb Nussa & Charles Evanson, Solid Waste Office; Terry Atherton, Utility Administration; Linda Powell, Staff Attorney; Pat Callahan, WPC Engineering; Mike Thornson & Tom Gountras, Storm Water Engineering; Richard Romary, Street Engineering; Tim Warren, Water Resources; John Stafford, Chamber of Commerce and Holly Warshauer, Baker & Daniels.

1. **RECEIVE BIDS** - Resolution #515-94, Avalon Place Addition Drainage Improvement - Phase II (CEDIT NEIGHBORHOOD/STORM WATER UTILITY FUNDS):

Bercot Inc.	50,365.00
Dehner Inc.	39,700.00
Eng. Est.	$41,750.00

Storm Water Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6346-94, Clinton St., Coldwater Resurfacing - Northrop Street to Coliseum Blvd. & Coldwater Rd. Water Main Replacement - Coldwater Rd. to Coliseum Blvd. (CEDIT BOND FUNDED).

Brooks Const.	527,778.25
E & B Paving	574,354.38
S. E. Johnson Cos.	545,936.65
Wayne Asphalt	518,599.31
Eng. Est.	$530,834.25

Street Engineering to tabulate and report.

3. Approval of Board Minutes of June 22, 1994;
Katherine Carrier moved approval of Board Minutes of June 22, 1994. Motion carried. Minutes approved as amended.

4. Received request from Street Light Engineering that the street light petition for the 1900 block of Nelson Street be cancelled. There is a conflict with the utilities under the sidewalk and we are unable to get an easement to set the pole. There is no other way to light this area (TABLED FROM LAST WEEK);
Jim Owen moved approval of request from Street Light Engineering that the street light petition for the 1900 block of Nelson Street be canceled. Motion carried. Petition canceled.

5. Received request for Waiver of Barricade Fees and Parade Permit from Fort Wayne Street Rod Association for their Annual Muddy River Run to be held on July 29 and July 30, 1994;
Katherine Carrier moved approval of request for Waiver of Barricade Fees and Parade Permit from Fort Wayne Street Rod Association for their Annual Muddy River Run to be held on July 29 and July 30, 1994. Motion carried. Fees waived and Parade Permit issued.

6. RESOLUTION for vacation of south 15 feet of Lot #2 and east 15 feet of Lot #3 in Herman Young Homestead Addition. Various departments have reviewed and approved;
Jim Owen moved approval of Resolution for vacation of south 15 feet of Lot #2 and east 15 feet of Lot #3 in Herman Young Homestead Addition. Motion carried. Copy on file.

7. Amendment to the Sewer Utility Rules and Regulations to increase animal/vegetable fats, oils and greases (a/v FOG) acceptable limit from 100 milligrams per liter to 200 milligrams per liter as per EPA approval;

   Linda Powell, Staff Attorney, addressed the Board. She stated that in 1992 this Board approved amendments to the Sewer Utility Rules and Regulations including an increase in allowable a/v FOG from 100 mg/l to 200 mg/l. This amendment to the Sewer Utility Rules and Regulations was submitted to the EPA Region 5 and IDEM for approval in June 1993. In May of 1994 this amendment was approved. At this time, the amendment is before the Board for final approval and adoption. Neil Wisler, Superintendent of the WPC Plant, stated close attention would be given to the effect of this change on the collection system and the plant in case it becomes necessary to restrict the 200 mg/l total FOG limit in the future in order to protect the integrity of the WPC Utility.

Holly Warshauer, Attorney, Baker & Daniels, who represents several commercial and industrial establishments, stated her clients were satisfied with the language in the proposed amendments but they would like the language relaxed even more. She used comparisons of Speedway and Indianapolis who have no numerical a/v FOG limit.

John Stafford, Chamber of Commerce, agreed with the setting of 200 mg/l total a/v FOG limit and indicated such was stated in a report the Chamber did two years ago.
Jim Owen moved approval of Amendment to the Sewer Utility Rules and Regulations. Katherine Carrier and Charles Layton voted "aye" and Jim Owen abstained. Motion carried. Copy herein incorporated.

8. Encroachment License Agreement between the City and Dr. Wade Adams to place irrigation heads into right-of-way at Delaware and Forest Park Blvd. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and Dr. Wade Adams to place irrigation heads into right-of-way at Delaware and Forest Park Blvd. Motion carried. Encroachment License Agreement forwarded to Recorders Office for recordation.

9. Encroachment License Agreement between the City and Jeff Brockman, owner of the 412 Club for an awning to be mounted on the front of the building at 412 E. Washington Blvd. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and Jeff Brockman for an awning to be mounted on the front of the Building at 412 E. Washington Blvd. Motion carried. Encroachment License Agreement forwarded to Recorders Office for recordation.

10. Sewer Reimbursement to Melvin Graber, 4353 C.R. 72N., Spencerville in the amount of $3,537.21 collected from Thomas and Cheryl Pullin. Property to be served is Lot 8, Lexington Heights, 6121 Revere Place under Sewer Agreement 92-S-10;
Jim Owen moved approval of Sewer Reimbursement to Melvin Graber, 4353 C. R. 72N., Spencerville in the amount of $3,537.21 collected from Thomas and Cheryl Pullin. Jim Owen and Charles Layton voted "aye" and Katherine Carrier abstained. Motion carried. Sewer Reimbursement forwarded to New Water/Sewer Permits for their handling.

11. Sewer Reimbursement to North Eastern Construction Co., 6700 E. State Blvd. in the amount of $16,496.94 collected from Maescher Construction Co., Inc. Property to be served is Meijer Store at I-469 and S. R. 37 under Sewer Agreement 92-S-42;
Jim Owen moved approval of Sewer Reimbursement to North Eastern Construction Co., 6700 E. State Blvd. in the amount of $16,496.94 collected from Maescher Construction Co., Inc. Motion carried. Sewer Reimbursement forwarded to New Water/Sewer Permits for their handling.

12. Received recommendation from WPC Engineering to accept the work performed on Contract 93-S-31, Covington Road Sanitary and Contract 92-S-53, Harris Meadows Section I Sanitary as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Contract 93-S-31 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter sent to D & M Mechanical Contractors, Inc.

13. Approval of Contract 6325-94 between Brooks Construction Co., Inc. and the City of Fort Wayne for Collins Road - Speedway Drive to Coldwater Road in the amount of $221,231.25 (CEDIT BOND);
Katherine Carrier moved approval of Contract 6325-94 between Brooks Construction Co., Inc. and the City of Fort Wayne in the amount of $221,231.25. Motion carried. Contract approved subject to Councilmanic approval.

14. Approval of Contract 6329-94 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for West Jefferson Boulevard/ West Washington Boulevard, Thieme to Broadway in the amount of $240,004.49 (CEDIT BOND);
Katherine Carrier moved approval of Contract 6329-94 between Wayne Asphalt & Construction Co., Inc., and the City of Fort Wayne in the amount of $240,004.49. Motion carried. Contract approved subject to Councilmanic approval.

15. Approval of Contract 6332-94 between S. E. Johnson Companies, Inc. and the City of Fort Wayne for Hanna Street Improvements in the amount of $341,870.43 (CEDIT BOND/Sewer Utility)

Katherine Carrier moved approval of Contract 6332-94 between S. E. Johnson Companies, Inc. and the City of Fort Wayne in the amount of $341,870.43. Motion carried. Contract approved subject to Councilmanic approval.

16. Approval of Sewer Contract 94-S-20 between Northbrook Development, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Northbrook Subdivision Phase II (PRIVATELY FUNDED);
Katherine Carrier moved approval of Sewer contract 94-S-20 between Northbrook Development, Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

17. Approval of Sewer Contract 94-S-22 between Edward Rose of Indiana and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Southbridge Apartments Phase IV sanitary extension (PRIVATELY FUNDED);
Katherine Carrier moved approval of Sewer Contract 94-S-22 between Edward Rose of Indiana and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

18. Change Order 1 and Final received from Dehner Construction for Contract 923-1993, Woodway Drive decreasing the contract price by $750.00. Original contract price was $28,790.00;
Katherine Carrier moved approval of Change Order 1 and Final received from Dehner Construction for Contract 923-1993 decreasing the contract price by $750.00. Motion carried. Copy on file.

19. Change Order 5 received from Louis Lee Lengacher, Inc. for the Renovation of Police Operations Center increasing the contract price by $250.00. Original contract price was $227,450.00;
Jim Owen moved approval of Change Order 5 received from Louis Lee Lengacher, Inc. for the Renovation of the Police Operations Center increasing the contract price by $250.00. Motion carried. Copy on file.

20. Change Order 1 received from Key Concrete Co., Inc. for Resolution 6316-93, 1993 Neighborhood Commercial Capital Improvements - Package 93-A decreasing the contract price by $604.00. Original contract price was $37,688.50;
Jim Owen moved approved Change Order 1 received from Key Concrete Co., Inc. for Resolution 6316-93 increasing the contract price by $604.00. Motion carried. Copy on file.

21. Change Order 1 received from Key Concrete Co. for Resolution 6307-93, 1200 Block of Huffman Street decreasing the contract price by $743.50. Original contract price was $4,672.00;
Jim Owen moved approval of Change Order 1 received from Key Concrete Co. for Resolution 6307-94 decreasing the contract price by $743.00. Motion carried. Copy on file.

22. Received recommendation from Water Engineering to accept the work performed on Contract 93-XP-01, Catalpa Street Feeder Main as an integral part of the City's water main system;
Katherine Carrier move to accept the work performed on Contract 93-XP-3 as an integral part of the City's water main system. Motion carried. Acceptance letter sent to Dehner Construction.

23. Approval of contract between the City of Fort Wayne and National Serv-All for city-wide garbage pick-up and disposal service. The contract price is $37.36 per ton for pick-up either from residential or city facilities and $14.13 per ton disposal;
Jim Owen moved approval of contract between the City of Fort Wayne and National Serv-All for city-wide garbage pick-up and disposal service. Motion carried. Original contract on file.

24. Approval of contract between the City of Fort Wayne and Browning Ferris Industries of Indiana, Inc. to provide bi-weekly curbside recycling services. Collection costs are $80.65 per ton both from residents and city facilities. Disposal costs are $20.00 per ton.
Jim Owen moved approval of contract between the City of Fort Wayne and Browning Ferris Industries of Indiana, Inc. to provide by-weekly curbside recycling service. Motion carried. Original contract on file.

25. Approval of contract between the City of Fort Wayne and Browning Ferris Industries of Indiana, Inc. for seasonal weekly pick-up of yard waste city-wide. The pick-up fee from residential and city sites is $26.00 per ton and a disposal fee of both streams of yard waste is $8.55 per ton;
Jim Owen moved approval of contract between the City of Fort Wayne and Browning Ferris Industries of Indiana, Inc. for seasonal weekly pick-up of yard waste city-wide. Motion carried. Original contract on file.

26. Taxi Cab License Applicant Walter W. Zepke;
Jim Owen moved approval of Taxi Cab License Applicant Walter W. Zepke. Motion carried. License to be issued.

27. Taxi Cab License Renewal Marvin O. Ostermeyer;
Jim Owen moved approval of Taxi Cab License Renewal Marvin O. Ostermeyer. Motion carried. License to be renewed.

28. Revolving Barrett Law claims approval in the amount of $2,812.67.
Katherine Carrier moved approval of Revolving Barrett Law claims approval in the amount of $2,812.67. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.

29. Claims approval in the amount of $16,466,622.61.

Katherine Carrier inquired about check numbers 1508, 1508A and 1509 to Bowen Engineering. Kathy Friend to respond.
Katherine Carrier moved approval of claims in the amount of $16,466,622.61. Motion carried. Claims forwarded to General Accounting for their handling.

30. Old Business:

None.

31. New Business:

David Ross, City Engineer, updated the Board on the Washington Center Road Project. He stated the scope of the work is being reduced to improve the intersection on Washington Center Road in front of Northwood Junior High School and Bishop Dwenger High School. The Contractor agreed to the reduction of the contract and agreed to use unit prices on the base bid on their original proposal.

David Ross then introduced Tom Jones, the new Street Engineer and Charles Bailey introduced a summer intern for Contract Compliance, Andre Barnes.

Meeting adjourned at 9:55 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

June 29, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at 10:30 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Board of Public Works; Betsy Meyer, Barrett Law; and Mike Thornson and Don Hanley, Stormwater Engineering. Katherine A. Carrier, absent.

1. Hearing - Notice to Property Owners - Improvement Resolution 927-94, 2600 Block Springfield Avenue Storm Sewer. Remonstrance Period up July 11, 1994.
   C. James Owen moved to confirm Improvement Resolution 927-94. Motion carried. Resolution confirmed.

Hearing adjourned at 11:25 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

July 6, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Katherine A. Carrier, C. James Owen, Patricia J. Crick, BOW; R. David Boyer, Assoc. City Atty.; Ann Smith & David Ross, City Engineering; Walter Jordan & Charles Bailey, Contract Compliance; Kerry Anzini & Andre Barnes, Interns, Contract Compliance; Tom Jones, Street Engineer; Pat Callahan, WPC Engineering; Tom Gountras & Mike Thornson, Storm Water Engineering, Tim Warren, Water Resources; Deb Farrell, Utility Administration; Kevin Okleshen, Street Engineering and Sandy Maldeney, Property Manager. Charles E. Layton, absent.

In Charles Layton's absence, Katherine A. Carrier called the meeting to order at 9:00 a.m.

1. **RECEIVE BIDS** - Resolution #516-94, Centerhurst Addition Drainage Improvement (CEDIT NEIGHBORHOOD FUNDS);

Bercot Inc.	30,780.00
Dehner Inc.	37,600.00
Eng. Est.	$31,500.00

Storm Sewer Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution #6347-94, Winter Street Reconstruction (CEDIT NEIGHBORHOOD);

	Base	Alt.
Brooks Const.	217,296.95	200,094.25
Dehner Inc.	217,190.00	205,748.00
E & B Paving	218,801.75	234,378.50
Mergy Const.	198,360.25	179,047.85
Eng. Est.	$206,145.25	$183,752.00

Street Engineering to tabulate and report.

3. AWARD: Resolution 6346-94 - Clinton Street, Coldwater Road Resurfacing - Northrop Street to Coliseum Blvd./Coldwater Road Water Main Replacement - Clinton Street to Coliseum Blvd. to Wayne Asphalt & Construction Co. in the amount of $518,599.31 (CEDIT BOND);
Jim Owen moved approval of award for Resolution 6346-94 to Wayne Asphalt & Construction Co. in the amount of $518,599.31. Motion carried. Notice of Award to be sent . Street Engineering to prepare contracts.

4. AWARD: Resolution 515-94, Avalon Place Addition Drainage Improvement - Phase II to Dehner Construction, Inc. in the amount of $39,700.00 (CEDIT NEIGHBORHOOD/STORM WATER UTILITY);
Jim Owen moved approval of award for Resolution 515-94 to Dehner Construction, Inc. in the amount of $39,700.00. Motion carried. Notice of Award to be sent. WPC Engineering to prepare contracts.

5. AMENDED NOTICE OF AWARD for Resolution 6337-94, Washington Center Road Intersection Improvements, Phase I to E & B Paving in the amount of $288,878.05 (CEDIT BOND);

   David Boyer, Associate City Attorney, stated the scope of work for Resolution 6337-94 was amended because of reaction from residents. The original contract was awarded in the amount of $653,878.05. He stated that this project would not have to be rebid because the contractor agreed to the reduction of the contract and to use the same unit prices on the base bid on their original proposal.
   Jim Owen moved approval of Amended Notice of Award for Resolution 6337-94 to E & B Paving in the amount of $288,878.05. Motion carried. Amended Notice to be sent.

6. Approval of Board Minutes of June 29, 1994;
Jim Owen moved approval of Board Minutes of June 29, 1994. Motion carried. Board Minutes approved as distributed.

7. Approval of Public Hearing Minutes of June 29, 1994;
Katherine Carrier moved to table Public Hearing Minutes of June 29, 1994. Motion carried. Public Hearing Minutes tabled.

8. Change Order 6 received from Louis Lee Lengacher, Inc. for Renovation of Police Operations Center increasing the contract price by $300.00. Original contract price was $227,450.00;
Jim Owen moved approval of Change Order 6 received from Louis Lee Lengacher, Inc. for Renovation of Police Operations Center increasing the contract price by $300.00. Motion carried. Copy on file.

9. Approval of Water Contract 9402 between North Eastern Construction Co., Inc. and the Fort Wayne Water Utility to construct water main systems to serve Autumn Chase Section II, Phase II (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9402 between North Eastern Construction Co., Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

10. Received request for Waiver of Barricade Fees from Northrop High School Music Department for Marching Band practice for Three Rivers Festival parade on Friday, July 8, 1994 from 7 P.M. - 8:15 P.M. The route will begin at Northrop Blvd., crossing Coldwater Road into Springwood Addition and then back to Northrop Blvd.;
Jim Owen moved approval of request for Waiver of Barricade Fees from Northrop High School Music Department for Marching Band practice for Three Rivers Festival parage on Friday, July 8, 1994 from 7 P.M. - 8:15 P.M. Motion carried. Fees to be waived.

11. Received recommendation from WPC Engineering to accept the work performed on Sewer Contract 94-S-3, Autumn Ridge Section 7 and Sewer Contract 94-S-10, The Oaks Section III as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Sewer Contract 94-S-3 and 94-S-10. Motion carried. Acceptance letters sent to respective contractors.

12. Approval of Contract 6342-94, Brooklyn Avenue: Bluffton Road to Norfolk & Southern Railroad between the City of Fort Wayne and Brooks Construction Co., Inc. in the amount of $157,232.50 (CEDIT BOND/STORM DRAINAGE UTILITY);
Jim Owen moved approval of Contract 6342-94 between the City of Fort Wayne and Brooks Construction Co., Inc. in the amount of $157,232.50. Motion carried. Contract 6342-94 approved subject to Council approval.

13. Approval of Contract 6345-94, Maplewood Road Pavement Restoration, Bluffton Road to Pinedale Drive between the City of Fort Wayne and Brooks Construction Co., Inc. in the amount of $56,907.40 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6345-94 between the City of Fort Wayne and Brooks Construction Co., Inc. in the amount of $56,907.40. Motion carried. Copy on file. Notice to Proceed to be sent.

14. Received from Street Light Engineering Neighborhood Request for Additional Street Lights (CEDIT NEIGHBORHOOD);

Third District	Cost
1900-2000 Franklin Avenue	$2,500

Jim Owen moved approval of Street Light Engineering Neighborhood Request for Additional Street Lights. Motion carried. Lights to be installed.

15. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $16,753.56;
Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $16,753.56. Motion carried. Write off of delinquent accounts forwarded to City Utilities Accounting for their handling.

16. Taxi Cab License Applicant Larry D. Ondersma;
Jim Owen moved approval of Taxi Cab License Applicant Larry D. Ondersma. Motion carried. License to be issued.

17. Old Business:

    I. Katherine Carrier inquired about the status of projects being performed by All Star Construction.

    Pat Callahan, WPC Engineering, stated that the actual construction is completed but the paperwork is not completed on Resolution 511-93, Edgewater Avenue/Columbia Avenue Combination Sewer. On Resolution #926-93, Hacienda Village Sanitary Extension Phase II, the construction was started two months late and is close to completion.

    Mike Thornson, Storm Water Engineer, stated that on Resolution 498-92, Ludwig Park Drainage Phase I, the construction is finished and the paperwork has not been turned in.

David Ross, City Engineer, stated that on Resolution 6319-93, Earthen & Steel Dike at St. Mary's River, all the permits have not been obtained from the Department of Natural Resources.

II. Jim Owen stated he received a written complaint from a citizen regarding the Oakridge project and requested to meet later with the project engineer.

18. New Business:

I. David Ross, City Engineer, stated Res. #6317-93 is for the improvement of Parnell from the North edge of pavement on Romy Avenue to the South curb line of State Blvd. for the reconstruction of curbface sidewalk on both sides, drives, yardwalks, drainage improvements, milling asphalt overlay and resurfacing. As the contractor started the pavement removal for the curb and sidewalk reconstruction, the concrete pavement under the asphalt overlay was discovered to be deteriorated. The contractor recommended that the City look at this further to see if we actually want to resurface over this deteriorated concrete. It is the staff recommendation that all the existing pavement be removed and be constructed with bituminous pavement. The contractor, Dehner Inc., will submit a change order at a cost of $53,157.00 which is 42% of the original bid.

David Boyer, Associate City Attorney, stated that the Board can approve a change order exceeding 20% of the original bid if there is an unforseen circumstance.
Jim Owen moved to approve request to Change Order to be presented by Dehner, Inc. at the Board meeting next week. Motion carried. Change order to be presented.

II. David Ross, City Engineer, stated that the staff is recommending that the scope of work be changed on the Lake Phase I project by changing a bridge to a culvert structure at Pierson Ditch. It will be necessary for Bonar & Associates, Consulting Engineers, to revise the engineering drawings for the new drainage structure at a cost of $20,000. A contract with the new scope of work or a letter of authorization will be presented to the Board.
Jim Owen moved to accept this report for the record and anticipate formal action at a subsequent meeting. Motion carried.

III. Jim Owen requested an update on ADA.

David Ross, City Engineer, stated that the ADA Coalition is the advocate for taking down barriers making public facilities accessible to the disabled. In reviewing the standards the City has, we are in compliance with the Federal requirements, although we use Indiana Department of Transportation construction standards in our design. David stated he feels the ADA Coalition is reading the Federal Regulations. There is a meeting scheduled at State Boulevard with the ADA Coalition and after that the staff will make comparisons and see what problems exist.

At 9:50 a.m. Jim Owen moved to adjourn. Motion carried.

Meeting adjourned at 9:50 a.m.

K.A.C.
RESIGNED +
DID NOT
SIGN MINUTES

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

July 13, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Charles E. Layton, Director
Katherine A. Carrier, Member
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Charles E. Layton, C. James Owen, Patricia J. Crick, Linda Buskirk, Rhonda Bloom and Carolyn Newport, Board of Public Works; R. David Boyer, Assoc. City Attorney; Walter Jordan & Charles Bailey, Contract Compliance; Kerry Anzini & Andre Barnes, Interns, Contract Compliance; Tom Jones, Street Engineering; Tim Warren, Water Resources; Mike Thornson, Storm Water Engineering; Pat Callahan & Tom Pallone, WPC Engineering; Loren Kravig, Redevelopment; Terry Atherton, Utility Administration; Ann Smith, City Engineering; Jim Riemke, Street Light Engineering and Mary Jane Slaton, Public Information Office. Katherine A. Carrier, absent.

1. AWARD: Resolution 516-94, Centerhurst Addition Drainage Improvement to Bercot, Inc. in the amount of $30,780.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award of Resolution 516-94 to Bercot, Inc. in the amount of $30,780.00. Motion carried. Notice of Award to be sent. WPC Engineering to prepare contracts.

2. Approval of Public Hearing Minutes of June 29, 1994;
Jim Owen moved approval of Public Hearing Minutes of June 29, 1994. Motion carried. Minutes approved as distributed.

3. Approval of Board Minutes of July 6, 1994;
Jim Owen moved to table Board Minutes of July 6, 1994. Motion carried. Minutes tabled for one week.

4. Approval of Contract 6337-94, Washington Center Road Intersection Improvements, Phase I between E & B Paving, Inc. and the City of Fort Wayne in the amount of $288,878.05 (CEDIT BOND);
Jim Owen moved approval of Contract 6337-94 between E & B Paving, Inc. and the City of Fort Wayne in the amount of $288,878.05. Motion carried. Contract approved subject to Council approval.

5. Approval of Water Contract 9406 between Northbrook Development, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Northbrook, Phase II (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9406 between Northbrook Development, Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

6. Change Order 2 received from Primco, Inc. for Resolution 510-1993, St. Mary's/St. Joseph River Headwall Rehabilitation increasing the contract price by $159.80. Original contract price was $93,954.19;
Jim Owen moved approval of Change Order 2 received from Primco, Inc. for Resolution 510-1993 increasing the price by $159.80. Motion carried. Copy on file.

7. Change Order 1 and Final received from Crosby Excavating, Inc. for Contract 500-93, Avalon Place Drainage Improvement decreasing the contract price by $1,462.00. Original contract price was $56,490.00;
Jim Owen moved approval of Change Order 1 and Final received from Crosby Excavating, Inc. for Contract 500-93 decreasing the contract price by $1,462.00. Motion carried. Copy on file.

8. Change Order 1 received from Mergy Construction for emergency pavement blow-up Package 2 increasing the contract price by $607.19. Original contract price was $15,115.40;
Jim Owen moved approval of Change Order received from Mergy Construction for emergency pavement blow-up Package 2 increasing the contract price by $607.19. Motion carried. Copy on file.

9. Received request for Waiver of Barricade Fees from North Side High School for the Drum Corps International Music Competition to be held on Monday, August 1, 1994 at North Side High School;

Jim Owen moved approval of request for Waiver of Barricade Fees from North Side High School for the Drum Corps International Music Competition to be held on Monday, August 1, 1994 at North Side High School. Motion carried. Fees to be waived.

10. Received letter from Helen F. Baker, owner of Lot #6 in Bartel's Outlot, commonly known as 8208 Leo Road requesting deferment of area connection fees. Recommendation from WPC Engineering is that the area connection fees for all but one acre be deferred until the remainder of the lot is developed;
Jim Owen moved approval of request from Helen F. Baker for deferment of area connection fees for all but one acre. Motion carried. Fees to be deferred.

11. **RESOLUTION** Delegating Authority to the Fort Wayne Redevelopment Commission to negotiate and enter into settlements of litigated acquisition cases for Headwaters Park;

Loren Kravig, Redevelopment, stated that this Resolution is to authorize and direct the Commission, as its agent, to negotiate and enter into settlements of litigated acquisition cases. So long as the amount of settlement in such litigation cases does not exceed the original offer price by more than twenty percent (20%), any such settlement by the Commission is hereby authorized and approved.
Jim Owen moved approval of Resolution Development Delegating Authority to the Fort Wayne Redevelopment Commission to negotiate and enter into settlements of litigated acquisition cases for Headwaters Park. Motion carried. Copy herein incorporated.

12. **RESOLUTION** for Settlement of HOBBS Litigation for purchase of Tract No. 1, Headwaters Park;

Loren Kravig, Redevelopment, stated that environmental problems were discovered in connection with Tract No. 1, Headwaters Park. The Indiana Department of Environmental Management has approved an abatement plan proposed by the City and a dispute has arisen between the land owners and the City regarding the costs. The parties proposed a settlement which caps property owner contributions to the abatement plan at $46,500 and provides indemnity for the property owners against any future environmental claims in return for conveying the property to the City and dismissal of all property owner claims against the City resulting in this Resolution approving the settlement of the agreement.
Jim Owen moved approval of Resolution for Settlement of Hobbs Litigation for the purchase of Tract No. 1 Motion carried. Copy herein incorporated.

13. **IMPROVEMENT RESOLUTION 6348-94,** South Wayne Avenue - Home Avenue to Creighton Avenue by reconstructing the curbs, sidewalks, drive approaches, curb ramps and rehabilitate storm sewer structures as needed (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved to approval Improvement Resolution 6348-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 7/15 & 7/22/94 with date to receive bids 8/3/94.

14. **IMPROVEMENT RESOLUTION 6349-94,** Birchwood Avenue - Pontiac Street to McCormick Avenue by reconstructing roadway and construction of new sidewalks, which includes new bituminous pavement, constructing new curbs, driveway approaches, curb ramps, rehabilitate storm sewer structures and mulched seeding restoration (CEDIT NEIGHBORHOOD);
Jim Owen moved approval Improvement Resolution 6349-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 7/15 & 7/22/94 with date to receive bids 8/3/94.

15. Received request for Waiver of Barricade Fees from WANE-TV to erect TV remote vehicle for live shots of the Three Rivers Festival on Wednesday, July 13, 1994 from 9 A.M. - 7 P.M. at corner of Main Street and Clinton Street;
Jim Owen moved approval of Waiver of Barricade Fees from WANE-TV to erect TV remote vehicle for live shots of the Three Rivers Festival on Wednesday, July 13, 1994 from 9 A.M. - 7 P.M. at corner of Main Street and Clinton Street. Motion carried. Fees to be waived.

16. Informational update on Canterbury Relief Sanitary Sewer bid;

Pat Callahan, WPC Engineering stated that as a result of an output by the Master Plan, it was discovered that there is a second bottleneck thus necessitating a change in the scope of work for the Canterbury Relief Sanitary Sewer. Staff's recommendation is to cancel the original bid, revise the resolution and change the scope of work to reroute the sewer across the St. Joe River.
Jim Owen moved to accept this report. Motion carried. Project to be rebid.

17. Revolving Barrett Law claims in the amount of $41,491.02
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $41,491.01. Motion carried. Claims approved and forwarded to Barrett Law Office for their handling.

18. Claims approval in the amount of $1,170,023.23 for the week of July 6, 1994;
Jim Owen moved approval of claims in the amount of $1,170,023.23. Motion carried. Claims forwarded to General Accounting for their handling.

19. Claims approval in the amount of $17,104,594.10 for the week of July 13, 1994;
Jim Owen moved approval of claims in the amount of 17,104,594.10. Motion carried. Claims forwarded to General Accounting for handling.

20. Taxi Cab License Renewal Douglas A. Doctor;
Jim Owen moved approval of Taxi Cab License Renewal Douglas A. Doctor. Motion carried. License to be renewed.

21. Application for Taxi Permit from Yellow Cab Co-Op Inc.;

Pat Crick stated that all requirements have been met.
Jim Owen moved approval of Application for Taxi Permit from Yellow Cab Co-OP Inc. Motion carried. Application approved.

22. Old Business:

None

23. New Business:

A Resolution was read by Jim Owen honoring all the years of service given by Charles E. Layton, Director, who is retiring July 15, 1994.

Meeting adjourned at 9:50 a.m.

Charles E. Layton, Director

Katherine A. Carrier, Member

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

July 20, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Ann Smith and Carolyn Newport, Board of Public Works; Rick Orr, Right-of-Way; David Ross, City Engineer; Walter Jordan & Charles Bailey, Contract Compliance; Kerry Anzini & Andre Barnes, Interns, Contract Compliance; Tom Jones, Street Engineer; Pat Callahan, WPC Engineering; Tom Gountras & Don Hanley, Stormwater Engineering; Terry Atherton, Utility Administration; Mary Jane Slaton, Public Information Office; Jeff Grogg, Street Engineering and Tim Warren, Water Resources.

Linda Buskirk announced that Board Member Katherine A. Carrier resigned effective as of last week so unless the position is filled by next week, the Board of Works Meeting will be canceled due to lack of a quorum.

1. **RECEIVE BIDS** - Resolution #517-94, Crestwood Colony Drainage Improvement (CEDIT NEIGHBORHOOD FUNDS)

Bercot Inc.	54,224.00
Dehner Const., Inc.	62,600.00
Pioneer Associates, Inc.	78,780.00
Eng. Est.	$51,800.00

Stormwater Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6344-94, Illsley Drive Alley Reconstruction (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Const.	32,466.25
Dehner Const., Inc.	32,027.50
Key Concrete, Inc.	24,388.75
Eng. Est.	$28,990.00

Street Engineering to tabulate and report.

3. AWARD: Resolution 6347-94, Winter Street Reconstruction-Rudisill to Oxford to Mergy Construction Co., Inc. for the Alternate Bid in the amount of $179,047.85 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 6347-94 to Mergy Construction Co., Inc. in the amount of $179,047.85. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

4. Approval of Board Minutes of July 6, 1994;
Jim Owen moved to table Board Minutes of July 6, 1994 and July 13, 1994 until signatures from resigned Board members are obtained. Motion carried. Minutes tabled.

5. Approval of Board Minutes of July 13, 1994;
See agenda item #4.

6. Approval of Contract 6331-94, State Blvd.: Parnell Avenue to Santa Rosa, Randallia Drive: Lake Avenue to State Blvd. between Wayne Asphalt & Construction Co., Inc. and the City for partial widening, milling, resurfacing, new water main, storm structures, curb ramps and related improvements in the amount of $1,283,850.59 (CEDIT BOND);
Jim Owen moved approval of Contract 6331-94 between Wayne Asphalt & Construction Co., Inc. and the City in the amount of $1,283,850.59. Motion carried. Contract approved subject to Council approval.

7. Approval of Contract 6346-94, Clinton Street/Coldwater Road Resurfacing - Northrop Street to Coliseum Blvd. and Coldwater Road Water Main Replacement - Clinton Street to Coliseum Blvd. between Wayne Asphalt & Construction Co., Inc. and the City for resurfacing, constructing medians, repair curbing and reconstructing drainage structures in the amount of $518,599.31 (CEDIT BOND);
Jim Owen moved approval of Contract 6346-94 between Wayne Asphalt & Construction Co., Inc. and the City in the amount of $518,599.31. Motion carried. Contract approved subject to Council approval.

8. Approval of Stormwater Contract 515-94, Avalon Place Addition Drainage Improvement, Phase II between Dehner Construction, Inc. and the City in the amount of $39,700.00 (CEDIT NEIGHBORHOOD/STORM WATER UTILITY);
Jim Owen moved approval of Stormwater Contract 514-94 between Dehner Construction, Inc. and the City in the amount of $39,700.00. Motion carried. Notice to Proceed to be sent.

9. Approval of Stormwater Contract 516-94, Centerhurst Addition Drainage Improvement between Bercot, Inc. and the City in the amount of $30,780.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Stormwater Contract 516-94 between Bercot, Inc. and the City in the amount of $30,780.00. Motion carried. Notice to Proceed to be sent.

10. Approval of Sewer Contract 94-S-7 between Jeffrey S. Newkirk and Chad and Victoria Neace and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Newkirk/Neace Sanitary at Diebold Road (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-7 between Jeffrey S. Newkirk and Chad and Victoria Neace and the Fort Wayne Pollution Control Utility. Motion carried. Copy on file.

11. Approval of Sewer Contract 94-S-8 between Advance Mixer, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Advance Mixer, Inc. at Liberty Industrial Park (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-8 between 94-S-8 between Advance Mixer, Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

12. Approval of Sewer Contract 94-S-13 between Zohrab K. Tazian and Naomi K. Tazian and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Woodmont Ridge Section II Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-13 between Zohrab K. Tazian and Naomi K. Tazian and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

13. **IMPROVEMENT RESOLUTION 6338-94,** Washington Center Road Improvements, Phase II: Goshen Road to East of Ridgebrook Drive by widening pavement, resurfacing, new shoulders, drainage ditch rehabilitation, pavement markings and restoration (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6338-94, Washington Center Road Improvements Phase II. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 7/22 & 7/29/94 with date to receive bids August 10, 1994.

14. **RESOLUTION 523-94,** Queen/Manford-Logan Drainage Improvement (CDBG);
Jim Owen moved approval of Resolution 523-94, Queen/Manford-Logan Drainage. Motion carried. Copy herein incorporated.

15. Change Order 8 received from Brooks Construction Co., Inc. for Resolution 6279-92, Getz Road Divisions I & II increasing the contract price by $18,078.65. Original contract price was $738,491.36;
Jim Owen moved approval of Change Order 8 received from Brooks Construction Co. Inc. for Resolution 6279-92 increasing the contract price by $18,078.65. Motion carried. Copy on file.

16. Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6335-94, Ludwig Road - Lima to Coldwater Road increasing the contract price by $845.30. Original contract price was $134,695.86;
Jim Owen moved approval of Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6335-94 increasing the contract price by $845.30. Motion carried. Copy on file.

17. Received recommendation from WPC Engineering to accept the work performed on Contract 94-S-15, Concord Place Section 2 & 4 Sanitary Sewer Extension as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Contract 94-S-15. Motion carried. Acceptance letter to be sent to Underground Contractors.

18. Received recommendation from WPC Engineering to accept the work performed on Resolution 510-93, St. Mary's River/St. Joseph River Headwall Rehabilitation as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Resolution 510-94. Motion carried. Acceptance letter to be sent to Primco, Inc.

19. Authorization by the City of Fort Wayne for Bonar & Associates, Inc. to provide additional services as part of Lake Avenue: Phase II project. Bonar & Associates, Inc. shall furnish services to revise plans, changing bridge design to culvert design meeting the new Indiana Department of Natural Resources (IDNR) requirements at Pierson Ditch Crossing. Fee for additional services shall be funded from CEDIT BOND;
Jim Owen moved approval of additional services to be provided by Bonar & Associates, Inc. for Lake Avenue: Phase II project. Motion carried. Copy of authorization on file.

20. Encroachment License Agreement between the City and Norman R. Drew for a lawn sprinkler system to be installed at 2826 Wood Hollow Trail. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and Norman R. Drew. Motion carried. Copy on file.

21. Taxi Cab License Applicant Lance E. Burkholder;
Jim Owen moved to deny Taxi Cab License Applicant Lance E. Burkholder based on recommendation received from Police Chief Neil Moore. Motion carried. License denied. Letter of Denial to be sent.

22. Taxi Cab License Renewal Timothy A. Young;
Jim Owen moved to approve Taxi Cab License Renewal Timothy A. Young. Motion carried. License to be renewed.

23. Revolving Barrett Law claims approval in the amount of $64,099.88.
Jim Owen moved approval of Revolving Barrett Law claims. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.

24. Claims approval in the amount of $24,622,164.86.
Jim Owen moved approval of claims in the amount of $24,622.164.86. Motion carried. Claims forwarded to General Accounting for their handling.

25. Old Business:

    I. Jim Owen inquired about policies on ADA and results from meeting with staff members and the ADA Coalition on the State Boulevard project.

    David Ross, City Engineer, stated that the big concern is the interpretation of curb ramps and ramps. The staff is checking with the Federal Transportation Authority for their interpretation to see if ramp requirements should be considered when the City is doing curb ramps and the ADA Coalition is checking with the Federal Highway Administrator on this matter. Another meeting will be scheduled to discuss the findings.

    David Ross stated that the City applies the Federal requirements to all Public Works projects.

    Rick Orr, Right-of-Way Department, stated that his department also follows the Federal requirements on ADA.

    II. Jim Owen inquired about the City requiring developers to incorporate storm water into new developments.

    Terry Atherton, Utility Administration, stated that most subdivisions are built outside the City limits so it is the developers' responsibility to incorporate storm sewers.

26. New Business:

    None.

Meeting adjourned at 9:45 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 3, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Ann Smith, Patricia Crick and Carolyn Newport, Board of Public Works; R. David Boyer, Assoc. City Attorney; Rick Orr, Right-of-Way Dept.; Deb Farrell and Terry Atherton, Utility Administration; Ray Wigfield, Pat Callahan and Nassar Anabtawi, WPC Engineering; Linda Powell, Staff Attorney; Mike Thornson, Stormwater Engineering; Sandy Maldeney, Property Manager; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Denny Root and Tom Jones, Street Engineering; Tim Warren & Roger Warner, Water Resources; Charles Bailey, Contract Compliance; Kerry Anzini & Andre Barnes, Interns, Contract Compliance.

1. **RECEIVE BIDS** - Water Contract 94-02, Restoration of Water Maintenance Utility Cuts (Water Utility)

Brooks Const.	349,945.00
Dehner Const. Inc.	328,596.25
Mergy Const.	265,865.00
Robbco Inc.	255,630.00
Eng. Est.	$266,350.00

Water Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6349-94, Birchwood Avenue - Pontiac St. to McCormick Avenue (CEDIT NEIGHBORHOOD FUNDS)

Brooks Const.	193,856.25
S. E. Johnson Companies	209,320.00
Mergy Const.	161,504.00
Wayne Asphalt	165,491.10
Eng. Est.	$179,513.18

Street Engineering to tabulate and report.

3. AWARD: Resolution 517-94, Crestwood Colony Addition Drainage Improvement to Bercot, Inc. in the amount of $54,224.00. Bid is 5% above engineer's estimate but recommendation to award based on the fact that the bid amounts do not appear overly excessive (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 517-94 to Bercot, Inc. in the amount of $54,224.00. Motion carried. Notice of Award to be sent. WPC Engineering to prepare contracts.

4. AWARD: Resolution 6344-94, Illsley Drive Alley Reconstruction to Key Concrete Inc. in the amount of $24,388.75 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6344-94 to Key Concrete Inc. in the amount of $24,388.75. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

5. Acceptance of Board Minutes of July 6, 1994;
Jim Owen moved to accept Board Minutes of July 6, 1994. Motion carried. Minutes accepted as distributed.

6. Acceptance of Board Minutes of July 13, 1994;
Jim Owen moved to accept Board Minutes of July 13, 1994. Motion carried. Minutes accepted as distributed.

7. Approval of Board Minutes of July 20, 1994;
Jim Owen moved approval of Board Minutes of July 20, 1994. Motion carried. Minutes approved as distributed.

8. **RESOLUTION 525-1994**, I-469 Project #F-170 & NH-170-2 Sanitary Sewer Relocate. This is to relocate a section of 24" sanitary interceptor sewer to facilitate construction of the I-469 project where it intersects I-69 (SEWER UTILITY FUNDS - REIMBURSABLE THROUGH STATE AND FEDERAL AGENCIES);
Jim Owen moved approval of Resolution 525-1994. Motion carried. Copy herein incorporated.

9. Received request for Waiver of Barricade Fees from the American Diabetes Association for their "Walktoberfest" to be held on October 2, 1994 from 7 A.M. to 3 P.M. The start/finish area is set for Johnny Appleseed Park area;

Jim Owen moved approval of request for Waiver of Barricade Fees from the American Diabetes Association for their "Walktoberfest" to be held on October 2, 1994 from 7:00 A.M. to 3 P.M. Motion carried. Fees to be waived.

10. Change Order 7 received from Louis Lee Lengacher, Inc. for the Renovation of Police Operations Center increasing the contract price by $195.00. Original contract price was $227,450.00;
Jim Owen moved approval of Change Order 7 received from Louis Lee Lengacher, Inc. for the Renovation of Police Operations Center increasing the contract price by $195.00. Motion carried. Copy on file.

11. Final Change Order received from Hamilton Hunter Builders, Inc. for the Water Maintenance Remodel 2A project increasing the contract price by $655.00. Original contract price was $21,934.00;
Jim Owen moved approval of Final Change Order received from Hamilton Hunter Builders, Inc. for the Water Maintenance Remodel 2 project increasing the contract price by $655.00. Motion carried. Copy on file.

12. Change Order #2 and Final received from T & G, Inc. for Contract 507-1993, 3rd and Franklin Sewer Reconstruction increasing the contract price by $61.50. Original contract price was $286,950.50;
Jim Owen moved approval of Change Order #2 and Final received from T & G, Inc. for Contract 507-1993 increasing the contract price by 61.50. Motion carried. Copy on file.

13. Change Order #1 received from Mergy Construction Co. Inc. for Resolution 6308-93, Fox/Lincoln Curbs and Sidewalks increasing the contract price by $1,750.85. Original contract price was $100,925.25;
Jim Owen moved approval of Change Order #1 received Mergy Construction Co. Inc. for Resolution 6308-93 increasing the contract price by $1,750.85. Motion carried. Copy on file.

14. Approval of Contract 6347-94 between Mergy Construction Co., Inc. and the City for total street reconstruction on Winter Street from Rudisill Blvd. to Oxford Street in the amount of $179,047.85 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6347-94 between Mergy Construction Co., Inc. and the City in the amount of $179,047.85. Motion carried. Notice to Proceed to be sent. Copy of contract on file.

15. Approval of Water Contract 9022 between Centennial Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Centennial Industrial Park Section IX Phase I (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9022 between Centennial Development Corp. and the Fort Wayne Water Utility. Motion carried. Copy on file.

16. Approval of Water Contract 9407 between Centennial Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Centennial Industrial Park Section IX Phase 2 (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9407 between Centennial Development Corp. and the Fort Wayne Water Utility. Motion carried. Copy on file.

17. Received recommendation from Street Engineering to accept the following streets in Westwood North Section IV for future maintenance;

    Windrush Drive
    Lykeway Court
    Sanderling Drive
    Jim Owen moved to accept the above listed streets in Westwood North Section IV for future maintenance. Motion carried. Acceptance letter to be sent to W. L. Anderson.

18. Received recommendation from WPC Engineering to accept the work performed on Sewer Contract 93-S-57, Westwood North Section IV Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Sewer Contract 93-S-57. Motion carried. Acceptance letter to be sent to W. L. Anderson.

19. Received recommendation from WPC Engineering to accept the work performed on Sewer Contract 94-S-9, Eagle Lake Section V Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Sewer Contract 94-S-9. Motion carried. Acceptance letter to be sent to Porter Construction, Inc.

20. Received recommendation from WPC Engineering to accept the work performed on Sewer Contract 94-S-11, Holly Ridge Section II Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Sewer Contract 94-S-11. Motion carried. Acceptance letter to be sent to Kurtz Excavating, Inc.

21. Received recommendation from Water Engineering to accept the work performed on Water Contract 93-03, Aldene Manor Water Main Replacement project as an integral part of the City's water system;
Jim Owen moved to accept the work performed on Water Contract 93-03. Motion carried. Acceptance letter to be sent to Crosby Excavating, Inc.

22. Received recommendation from Water Engineering to accept the work performed on Water Contract 9022, Centennial Park Section IX Water Main Extension project as an integral part of the City's water system;
Jim Owen moved to accept the work performed on Water Contract 9022. Motion carried. Acceptance letter to be sent to Dehner Construction Inc.

23. Auto Liability and General Liability Claims in the amount of $204,605.94 per City Ordinance G-18-89;
Jim Owen moved approval of Auto Liability and General Liability Claims in the amount of $204,605.94. Motion carried. Claims forwarded to Risk Management for their handling.

24. Taxi Cab License Applicant Charles H. Gillespie, Jr.;
Jim Owen moved approval of Taxi Cab License Applicant Charles H. Gillespie, Jr. Motion carried. License to be issued.

25. Taxi Cab License Renewal Richard D. Lauer;
Jim Owen moved approval of Taxi Cab License Renewal Richard D. Lauer. Motion carried. License to be renewed.

26. Taxi Cab License Renewal Carol A. Miller;
Jim Owen moved approval of Taxi Cab License Renewal Carol A. Miller. Motion carried. License to be renewed.

27. Taxi Cab License Renewal Jon E. Sauers;
Jim Owen moved approval of Taxi Cab License Renewal Jon E. Sauers. Motion carried License to be renewed.

28. Revolving Barrett Law claims approval in the amount of $96,931.80;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $96,931.80. Motion carried. Claims forwarded to Barrett Law Office for payment.

29. Old Business:

None.

30. New Business:

None.

31. Approval and recommendation to Common Council on Permanent Stormwater Rate Schedule;
Linda Buskirk ordered agenda item #31 tabled until next week.

Meeting adjourned at 9:30 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 3, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Board of Public Works; Betsy Meyer, Barrett Law; Jeff Grogg and Tom Jones, Street Engineering.

1. Hearing - Notice of Final Hearing for Confirmation of Assessment - Improvement Resolution 6299-93, Southwood Park Curbing - Phase VI.

   A note was read from Crystal Johnson, 4534 South Wayne, that stated that a tree planted by the contractor has died. Also a note was read from John T. & Mary E. McClure stating fill dirt was needed in the park strip.

   Jeff Grogg is to notify the contractor of the above comments. **Jim Owen moved to confirm Assessment Roll for Improvement Resolution 6299-93. Motion carried. Assessment Roll sent to the Deparment of Finance.**

Hearing adjourned 10:50 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Board of Public Works; Betsy Meyer, Barrett Law; Jeff Grogg and Tom Jones, Street Engineering.

1. Notice to Property Owners - Improvement Resolution 6348-94, South Wayne Avenue - Home Avenue to Creighton Avenue. **Jim Owen moved to confirm Resolution 6348-94. Motion carried. Remonstrance period up on August 15, 1994.**

Meeting adjourned at 11:25 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 10, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Ann Smith, Patricia Crick, Board of Public Works; David Ross, City Engineer; Rick Orr, Right-of-Way Department; Charles Bailey, Walter Jordan, Contract Compliance; Kerry Anzini & Andre Barnes, Interns, Contract Compliance; Terry Atherton & Deb Farrell, Utility Administration; Mary Jane Slaton, Public Information Office; Tom Jones & Rich Romary, Street Engineering; Mike Thornson & Dennis Good, Stormwater Engineering, Tim Warren & Roger Warner, Water Engineering; Pat Callahan, WPC Engineering; Linda Powell, Staff Attorney; Kathy Friend, Deputy Controller; Steve Martin, City Utility Accounting; John Stafford, Chamber of Commerce; Bill Anderson, Developer.

1. **RECEIVE BIDS** - Invitation to Bid - Vehicle and Equipment Lease Financing

   Norwest Investment Services, Inc.
   Summers & Company
   Kathy Friend, Deputy Controller, will tabulate and report at the end of the meeting.

2. **RECEIVE BIDS** - Resolution 6338-94, Washington Center Road Improvements, Phase II: Goshen Road to East of Ridgebrook Drive (CEDIT BOND)

Brooks Construction	$292,295.63
E & B Paving, Inc.	332,948.40
Eng. Est.	$309,500.00

   David Ross, City Engineer, will tabulate and report at the end of the meeting.

3. AWARD: Contract 94-02, Restoration of Water Maintenance Utility Cuts to Robbco, Inc. in the amount of $255,630.00. (WATER UTILITY) (PRIOR APPROVAL REQUESTED);
   Jim Owen moved approval of Award for Contract 94-02 to Robbco, Inc. in the amount of $255,630.00. Motion carried. Notice of Award to be sent. Water Engineering to prepare contracts.

4. AWARD: Resolution 6349-94, Birchwood Avenue - Pontiac Street to McCormick Avenue to Mergy Construction Co., Inc. in the amount of $161,504.00 (CEDIT NEIGHBORHOOD) (PRIOR APPROVAL REQUESTED);
   Jim Owen moved approval of Award for Resolution 6349-94 to Mergy Construction Co., Inc. in the amount of $161,504.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

5. Approval of Board Minutes of August 3, 1994;
   Jim Owen moved approval of Board Minutes of August 3, 1994. Motion carried. Board Minutes approved as distributed.

6. Approval of Public Hearing Minutes of August 3, 1994 for Resolution 6299-93;
   Jim Owen moved approval of Public Hearing Minutes of August 3, 1994 for Resolution 6299-93. Motion carried. Public Hearing Minutes approved as distributed.

7. Approval of Public Hearing Minutes of August 3, 1994 for Resolution 6348-94;
   Jim Owen moved approval of Public Hearing Minutes of August 3, 1994 for Resolution 6348-94. Motion carried. Public Hearing Minutes approved as distributed.

8. Received recommendation from WPC Engineering to accept the work performed under Contract 478-92, Lime Sludge Lagoon Lift Station and Sewer Lines for future maintenance;
   Jim Owen moved to accept the work performed on Contract 478-92. Motion carried. Acceptance letter to be sent to Earth Construction.

9. Received recommendation from WPC Engineering to accept the work performed under Contract 94-S-19, Stillwater Place Section V Sanitary Sewer as an integral part of the City's sanitary sewer system;
   Jim Owen moved to accept the work performed on Contract 94-S-19. Motion carried. Acceptance letter to be sent to Scheidleman Excavating, Inc.

10. Received recommendation from Water Engineering to accept the work performed under Contract 9309, Woodland Lake Section VIII as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Contract 9309. Motion carried. Acceptance letter to be sent to Scheidleman Excavating, Inc.

11. Received recommendation from Water Engineering to accept the work performed under Contract 9313, Hampton Village Section II as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Contract 9313. Motion carried. Acceptance letter to be sent to Scheidleman Excavating, Inc.

12. Received recommendation from Water Engineering to accept the work performed under Contract 9401, Hickory Glen Water Main as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Contract 9401. Motion carried. Acceptance letter to be sent to Chaney Excavating, Inc.

13. Received recommendation from Water Engineering to accept the work performed under Contract 9304, Westwood North Section IV Water Main as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Contract 9304. Motion carried. Acceptance letter to be sent to W L Anderson.

14. Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6323-93, Right turn lane - Illinois and Jefferson increasing the contract price by $1,603.36. Original contract price was $48,262.00;
Jim Owen moved approval of Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6323-93 increasing the contract price by $1,603.36. Motion carried. Copy on file.

15. Change Order 1 received from Newell Construction for Resolution 6251-92, Kinnaird Avenue - South Wayne to Indiana decreasing the contract price by $422.30. Original contract price was $50,242.10;
Jim Owen moved approval of Change Order 1 received from Newell Construction for Resolution 6251-92 decreasing the contract price by $422.30. Motion carried. Copy on file.

16. Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6325-94, Collins Road Improvements increasing the contract price by $10,000.00. Original contract price was $221,231.25;
Jim Owen moved approval of Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6325-94 increasing the contract price by $10,000.00. Motion carried. Copy on file.

17. Contract 6344-94, Illsley Drive Alley Reconstruction between Key Concrete, Inc. and the City in the amount of $24,388.75 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Contact 6344-94 between Key Concrete, Inc. and the City in the amount of $24,388.75. Motion carried. Notice to Proceed to be sent.

18. Construction Contract 94-02, Water Maintenance Utility Cuts Restoration between Robbco, Inc. and the City in the amount of $255,630.00 (WATER UTILITY);
Jim Owen moved approval of Contract 94-02 between Robbco, Inc. and the City in the amount of $255,630.00. Motion carried. Contract 94-02 approved subject to Council approval.

19. Water Contract 9408, Pleasant Center School between Fort Wayne Community Schools and the Fort Wayne Water Utility to construct water main systems to serve Pleasant Center School (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9408 between Fort Wayne Community Schools and the Fort Wayne Water Utility. Motion carried. Copy on file.

20. Received Special Street Permit granting Dehner Construction Co., Inc. permission to construct the following streets in Centennial Industrial Park Section IX;

    Centennial Drive
    Cierra Court
    Jim Owen moved approval of Special Street Permit granting Dehner Construction Co., Inc. permission to construct the above streets in Centennial Industrial Park Section IX. Motion carried. Copy on file.

21. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $83,056.76;
    Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $83,056.76. Motion carried. Delinquent accounts forwarded to City Utilities Accounting for their handling.

22. Revolving Barrett Law claims in the amount of $68,816.81;

    Jim Owen moved approval of Revolving Barrett Law claims in the amount of $68,816.81. Motion carried. Claims approved and forwarded to Barrett Law Office for their handling.

23. Claims approval for the week of July 27, 1994 in the amount of $4,125,462.49;
    Jim Owen moved approval of Claims for the week of July 27, 1994 in the amount of $4,125,462.49. Motion carried. Claims approved and forwarded to General Accounting for their handling.

24. Claims approval for the week of August 3, 1994 in the amount of $15,050,948.94;
    Jim Owen moved approval of Claims for the week of August 3, 1994 in the amount of $15,050,948.94. Motion carried. Claims approved and forwarded to General Accounting for their handling.

25. Claims approval for the week of August 10, 1994 in the amount of $12,582,016.90;
    Jim Owen moved approval of Claims for the week of August 10, 1994 in the amount of $12,582,016.90. Motion carried. Claims approved and forwarded to General Accounting for their handling.

26. **RESOLUTION** to approve the amendments to the Rules and Regulations of the Fort Wayne Water Pollution Control Utility;

    Linda Powell, Staff Attorney, handed the Board members a copy of the Rules and Regulations and showed where the various changes were. She noted that most of the changes were required by the EPA after their audit in March 1993.
    Jim Owen moved to approve of the Resolution approving the amendments to the Rules and Regulations of the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

27. Taxi Cab License Renewal Kevin W. Marple;
    Jim Owen moved approval of Taxi Cab License Renewal Kevin W. Marple. Motion carried. License to be renewed.

28. Taxi Cab License Renewal Carrie M. Boothby;
    Jim Owen moved approval of Taxi Cab License Renewal Carrie M. Boothby. Motion carried. License to be renewed.

29. Taxi Hearing: Appeal received from Lance Burkholder regarding the denial of his taxi cab license;

    Lance Burkholder was not present.
    Jim Owen moved that the Board deny the appeal a second time. Motion carried. Appealed denied.

30. AWARD: Vehicle and Equipment Lease Financing;

    Linda Buskirk, Chairman, read the results of the two bids that were received. The total lease price for Summers & Company was $512,299.32 and the total lease price for Norwest was $512,071.30. The Controllers Office recommends the award goes to Norwest in the amount of $512,071.30.
    Jim Owen moved approval of Invitation to Bid - Vehicle and Equipment Lease Financing to Norwest in the amount of $512,071.30. Motion carried. Copy on file.

31. Old Business;

    None.

32. New Business;

    David Ross, City Engineer, updated the Board on the Maplecrest Road project. He stated he met with the Allen County Highway Department and they have received design approval for Maplecrest Road from Stellhorn to Rothman thru the Indiana Department of Transportation. Since they received design approval the City can now go to Right of Way acquisition. The scope of the project has changed quite a bit since FIRST started. What used to be County is now basically City. We now have control over 83% of the total length of the project and therefore had that obligation for the Right of Way acquisition. The County recommends to the City that contracts for right of way services be extended to Sieco, the consultants doing the engineering plans, to include Right of Way acquisition services. They have prepared a draft agreement that the City is now review-ing and negotiating with Sieco concerning services and fees attached to those services. In order to implement this it will take a joint agreement between the City and the County to participate into their contract. This will be presented to the Board in the near future. The total engineering services of about $150,000.00. The City would be responsible for 20% of that cost for the local share, which is 83% of the entire project. This is budgeted under the Cedit Bond.

Jim Owen moved to recess the Board of Works until 10:30 a.m. Motion carried. Board of Works meeting recessed until 10:30 a.m.

Linda Buskirk, Chairman, reconvened the August 10, 1994 Board of Public Works meeting.

New Business;

Taxi Hearing: Appeal received from Lance Burkholder regarding the denial of his taxi cab license;

Lance Burkholder, who was present but unnoticed, appeared before the Board and responded to the charges.
Jim Owen moved to reconsider and approve the request of Lance Burkholder that a Taxi Cab License be issued. Motion carried. Taxi Cab License to be issued to Lance Burkholder.

33. AWARD: Resolution 6338-94, Washington Center Road Improvements, Phase II: Goshen Road to East of Ridgebrook Drive (CEDIT BOND);

David Ross, City Engineer, stated that the apparent low bidder was Brooks Construction Co., Inc. in the amount of $292,295.63. He made the recommendation that the award be made to Brooks Construction Co., Inc. contingent upon the review and approval of Contract Compliance.
Linda Buskirk moved approval of Award for Resolution 6338-94 to Brooks Construction Co., Inc. in the amount of $292,295.63 with prior approval requested. Motion carried. Notice of Award to be sent. City Engineering to prepare contracts.

Meeting adjourned at 10:50 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 10, 1994

Stormwater Management Board
Third Floor Conference Room
Meeting held at 10:10 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick, Board of Public Works; Terry Atherton & Deb Farrell, Utility Administration, Mike Thornson & Dennis Good, Stormwater Engineering; Pat Callahan, WPC Engineering; Steve Martin, City Utility Accounting; Linda Powell, Staff Attorney; Mary Jane Slaton, Public Information Office; John Stafford, Chamber of Commerce; Bill Anderson, Developer.

1. Change Order 2 and Final received from All Star Construction & Excavating, Inc. for Resolution 498-1992, Ludwig Park Drainage Improvement - Phase I - Sharon Drive decreasing the contract price by $4,619.16. Original contract price was $310,845.00; **Jim Owen moved approval of Final Change Order received from All Star Construction & Excavating, Inc. from Resolution 498-1992 decreasing the contract price by $4,619.16. Motion carried. Copy of file.**

2. Received recommendation from Stormwater Engineering to accept the work performed under Contract 94-ST-01, Westwood North Section IV Storm Drainage as an integral part of the City's storm sewer system;
Jim Owen moved to accept the work performed under Contract 94-ST-01. Motion carried. Acceptance letter to be sent to W. L. Anderson.

3. **RESOLUTION** Approving and Recommending to the Common Council of the City of Fort Wayne Just and Reasonable Rates and Charges for Stormwater Services;

   Terry Atherton stated that this is something that started in 1991 with the adoption by City Council of an interim set of stormwater charges based on flat rates by classes of customers. In September of 1991, the City Council passed a revised set of charges and also asked to go back and do a cost of service and rate analysis and come back with a more equitable rate structure. That was done over the next almost 2 years and was submitted to City Council in September of 1993. Our commercial accounts are set up on the basis of small commercial rate of $5.49 per month and a commercial rate of $36.93 per month. We are coming up with an estimated total of ERU's that we have counted of about 176,000. We are estimating out of that we will get about 90%. We are estimating about 164,500 ERU's we will be able to bill for and that will generate a little over $3 million dollars a year which is our target for cost of services.

   Jim Owen thoughts were that a more sobered and responsible judgement is to bill the residential property owner across the board a flat rate.

   Terry Atherton let it be known that there are 56,636 residential properties that we are going to be billing. In 1991, when we began the credit for the appeal process for commercial properties, we had about 2,000 appeals filed out of about 4,000 customers and if we use even 10% of the residential properties, that is 5,000 appeals.
   Jim Owen moved approval of Resolution Approving and Recommending to the Common Council of the City of Fort Wayne Just and Reasonable Rates and Charges for Stormwater Services. Motion carried. Resolution to be presented to the Common Council of the City of Fort Wayne. Copy on file.

Meeting adjourned at 10:25 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 17, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Ann Smith and Patricia Crick, Board of Public Works; Mary Jane Slaton, Public Information Office; R. David Boyer, Assoc. City Attorney; David Ross, City Engineer; Tom Jones, Street Engineer; Charles Bailey, Contract Compliance; Kerry Anzini, Intern, Contract Compliance; Terry Atherton, Utility Administration.

1. **RECEIVE BIDS** - Miscellaneous Invitational Bid - Indian Village Concrete Repairs

Newell Construction Co.	11,331.00
Key Concrete	12,145.00
Eng. Est.	$11,335.00

Street Engineering to tabulate and report. Other companies invited to submit quotes were Mergy Construction, B-Char, Inc., Tomco Construction Co., Jones & Sons Const., and Pioneer Associates.

2. **RECEIVE BIDS** - Miscellaneous Invitational Bid - Darlen Court

Newell Construction Co.	9,220.00
Key Concrete	13,730.00
Eng. Est.	$12,355.00

Street Engineering to tabulate and report. Other companies invited to submit quotes were Mergy Construction, B-Char, Inc., Tomco Construction Co., Jones & Sons Const., and Pioneer Associates.

3. Approval of Board Minutes of August 10, 1994;
Jim Owen moved approval of Board Minutes of August 10, 1994. Motion carried. Minutes approved as distributed.

4. Encroachment License Agreement received from Gerald J. Vandeveer to place 3 light poles encroaching into park strip on Baker Street. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement received from Gerald J. Vandeveer. Motion carried. Encroachment License Agreement forwarded to the Recorder's Office for recordation.

5. Contract 6349-94 between the City and Mergy Construction Co., Inc. to reconstruct roadway, new sidewalks, rehabilitate storm sewer structures and restoration on Birchwood Avenue from Pontiac Street to McCormick Avenue in the amount of $161,504.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6349-94 between the City and Mergy Construction Co. Inc. in the amount of $161,504.00. Motion carried. Contract 6349-94 approved subject to Councilmanic approval.

6. Sewer Contract 94-S-12 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Autumn Chase Section II Phase II Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-12 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Utility. Motion carried. Copy on file.

7. Sewer Contract 94-S-18 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Chandler's Landing Section IV Sanitary Sewer Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-18 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. **IMPROVEMENT RESOLUTION 6351-94,** West State Blvd.: Sherman Blvd. to Hensch Street for resurfacing (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6351-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 8/19 & 8/26/94 with date to receive bids 9/7/94.

9. IMPROVEMENT RESOLUTION 6352-94, Creighton-Home Neighborhood Improvements - 1994 for partial replacement of sidewalks, yardwalks, curbs, driveway approaches, curb ramps and rehabilitation of storm sewer structures (CDBG);
Jim Owen moved approval of Improvement Resolution 6352-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 8/19 & 8/26/94 with date to receive bids 9/7/94.

10. Received recommendation from WPC Engineering to accept the work performed on Resolution 513-93, Chlorine Unloading Pipe Replacement project at Water Pollution Control Plant as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Resolution 513-93. Motion carried. Acceptance letter to be sent to Industrial Piping & Engineering Corporation.

11. Received recommendation from WPC Engineering to accept the work performed on Contract 94-S-6, Hickory Glen Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the Work performed on Contract 94-S-6. Motion carried. Acceptance letter to be sent to Chaney Excavating.

12. Received the following petitions during the period of Wednesday, August 10, 1994 up to and including Tuesday, August 16, 1994:

Ornamental street lights in Centerhurst Neighborhood; (Additional names)

Street resurfacing on Centerhurst Drive from Allenwood to Salge, and Galaxy/Holiday from Allenwood to Centerhurst Drive; (Additional names);

Ornamental street lights in Westwood North Subdivision (Additional names);

Replacement of an existing alley between Nelson Street and Garden Street (E-W) Jefferson Blvd. and Washington Blvd. (N-S);
Jim Owen recommended that the Board accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective engineering departments for their investigation.

13. Revolving Barrett Law claims approval in the amount of $3,985.06.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $3,985.06. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for handling.

14. Claims approval in the amount of $11,534,559.10;
Jim Owen moved approval of claims in the amount of $11,534,559.10. Motion carried. Claims forwarded to General Accounting for their handling.

15. Taxi Cab License Renewal for Stephen Blake;
Jim Owen moved approval of Taxi Cab License Renewal for Stephen Blake. Motion carried. License to be renewed.

16. Taxi Cab License Renewal for Karen Lane;
Jim Owen moved approval of Taxi Cab License Renewal for Karen Lane. Motion carried. License to be renewed.

17. Old Business:

(1) Jim Owen inquired about the status of the suspension of All Star Construction.

Pat Callahan, WPC Engineering, stated that on the stormwater job All Star Construction has completed the work, executed a final change order and an acceptance letter will be submitted soon. On the Edgewater project All Star has started but has not submitted an invoice. On the Hacienda project, the pipe is in the ground but there is still restoration to be completed and an invoice has not been submitted. Pat Callahan stated that he did not know the status of the Earthern & Steel Dike project.

Jim Owen then inquired what All Star Construction needs to do to be re-established with the City.

R. David Boyer, Associate City Attorney, recommended that a reminder letter of the suspension be sent to All Star Construction.

(2) Jim Owen then inquired regarding the status of drainage problem at the 2600 block Springfield Avenue, Resolution 927-94. A hearing was held on June 29, 1994. Remonstrances were received.

Mike Thornson, Storm Water Engineering, stated that property owners did not petition for an actual improvement but just wanted a stormwater survey and evaluation. A response is being prepared stating that the City was premature in presenting an actual stormwater improvement. He also stated that if the property owners want to go ahead with the project, they may submit another petition.

Discussion deferred for further investigation by R. David Boyer, Associated City Attorney, until next week.

(3) Jim Owen then inquired about the status of the Comcast Contract.

Linda Buskirk stated the negotiation committee had asked for a continuance and a decision has not been made. The negotiation of the contract might go into mediation. She stated that there may be advantages of not extending the contract at this time.

18. New Business:

None.

Jim Owen moved to recess the Board of Public Works Meeting. Motion carried. Board of Public Works meeting recessed.

Linda Buskirk, Chairman, reconvened the August 17, 1994 Board of Public Works meetings at 10:40 a.m.

19. David Ross, City Engineer, stated the Street Engineering Department has reviewed and tabulated the bid proposals for the Miscellaneous bids received earlier in this meeting. For the Indian Village Concrete Repairs project they recommended the award be made to Newell Construction Company in the amount of $11,331.00. For the Darlen Court project they recommended the award be made to Newell Construction in the amount of $9,220.00. Awards are contingent upon approval by Contract Compliance.
Jim Owen moved to approve the award of both miscellaneous bid projects to Newell Construction Company. Motion carried. Notice of Award to be sent.

Meeting adjourned at 10:50 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

AUGUST 17, 1994

Storm Water Management Board
Third Floor Conference Room
Meeting held at 9:30 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Ann Smith and Patricia Crick, Board of Public Works; Mary Jane Slaton, Public Information Office; R. David Boyer, Assoc. City Attorney; Mike Thornson, Stormwater Eng.; David Ross, City Engineer; Tom Jones, Street Engineer; Charles Bailey, Contract Compliance; Kerry Anzini, Intern, Contract Compliance; Terry Atherton, Utility Administration.

1. Approval of Minutes of August 10, 1994;
   Jim Owen moved approval of Minutes of August 10, 1994. Motion carried. Minutes approved as printed and distributed.

2. Stormwater Contract 517-94 between Bercot, Inc. and the City for Crestwood Colony Addition Drainage Improvement in the amount of $54,224.00 (CEDIT NEIGHBORHOOD);
   Jim Owen moved approval of Stormwater Contract 517-94 between Bercot, Inc. and the City in the amount of $54,224.00. Motion carried. Notice to Proceed to be sent.

New Business

Jim Owen inquired about the status of the Ordinance for the Resolution Approving and Recommending to the Common Council of the City of Fort Wayne Just and Reasonable Rates and Charges for Stormwater Services.

Terry Atherton, Utility Administration, apprised the Board of the following: Common Council met last evening and the order of discussion and passage of the ordinance is scheduled for September 13, 1994. There are several amendments on the table for discussion with Council and they included this Board on those amendments, specifically the role that Council will play and the role of this Board in the future. There was an amendment on the table last night by Councilman Schmidt that the Board of Stormwater Management will be the Board of Public Works and they will not approve a separate board. Furthermore, all rules and regulations of this Board have to be approved by Council after a public hearing has been held. This has not been formally amended at a formal session.

There were other amendments proposed in residential credit program. It concerns offering credits for residential classification properties. What Council is asking that we set up a credit program that will in effect allow billing for less than 1 billing unit, and the same thing would be set up for water, sanitary, garbage, and other flat fees. If we are to do that, the estimate is 7 months and in excess of $100,000 to modify the billing system. There may be a third alternative that they are reviewing, but they don't have a response yet.

For churches and religious schools, there is a proposal to set up a separate classification.

Meeting adjourned at 9:40 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 24, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk Chairman
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick and Carolyn Newport, Board of Public Works; R. David Boyer, Assoc. City Attorney; Rick Orr, Right-of-Way Dept.; Deb Farrell, Utility Administration; Pat Callahan and Nassar Anabtawi, WPC Engineering; Mike Thornson, Don Hanley, Darren Good and Al Frisinger, Stormwater Engineering; Jim Riemke, Street Light Eng.; Tom Manny, Traffic Eng.; Tim Warren, Water Resources; David Ross, City Eng.; Charles Bailey, Contract Compliance, Kerry Anzini, Intern, Contract Compliance; Sophie Rogarz, Guest from Poland.

1. Approval of Board Minutes of August 17, 1994;
   Jim Owen moved approval of Board Minutes of August 17, 1994. Motion carried. Minutes approved as printed and distributed.

2. **RESOLUTION** for vacation of a portion of the N/S alley that runs north from the E/W alley that runs between Calhoun Street and Harrison Street. Requested by Midtowne Crossing Owner's Association. Various departments have approved;
   Jim Owen moved approval of Resolution for vacation of a portion of the N/S alley that runs north from the E/W alley that runs between Calhoun street and Harrison Street. Motion carried. Copy on file.

3. **STREET LIGHTING RESOLUTION 237-94** for Street Lighting Maintenance and Unit Price Contract (STREET LIGHTING);
   Jim Owen moved approval of Street Lighting Resolution 237-94. Motion carried. Copy herein incorporated.

4. **IMPROVEMENT RESOLUTION 6354-94,** Boone Street/Center Street/Camp Allen Drive Improvements for partial replacement of sidewalks, replacement of curbs, driveway approaches, wingwalks with ramps and yardwalks and rehabilitation of storm sewer structures (CDBG);
   Jim Owen moved approval of Improvement Resolution 6354-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 8/27 & 9/2/94 with date to receive bids 9/14/94.

5. Contract 6338-94 between Brooks Construction Co., Inc. and the City for Washington Center Road Improvements Phase II: Goshen Road to East of Ridgebrook Drive to widen pavement, resurfacing, new shoulders, drainage ditch rehabilitation, pavement markings and restoration in the amount of $292,295.63 (CEDIT BOND);
   Jim Owen moved approval of Contract 6338-94 between Brooks Construction Co., Inc. and the City in the amount of $292,295.63. Motion carried. Contract approved subject to Councilmanic approval. Copy on file.

6. Sewer Contract 94-S-30 between The Westbridge Company and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Lima Meadow Section I and II Sanitary Extension (PRIVATELY FUNDED);
   Jim Owen moved approval of Sewer Contract 94-S-30 between the Westbridge Company and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

7. Change Order 1 received from Newell Construction Co., Inc. for Resolution 6299-93, Southwood Park Curbing Phase VI decreasing the contract price by $1,441.92. Original contract price was $36,375.00;
   Jim Owen moved approval of Change Order 1 received from Newell Construction Co., Inc. for Resolution 6299-93 in the amount of $1,141.92. Motion carried. Copy on file.

8. Acceptance of secondary subdivision plat for Westwood North Section IV;
   Jim Owen moved to accept secondary subdivision plat for Westwood North Section IV. Motion carried. Plat forwarded to City Plan Commission for their handling.

9. Received recommendation from WPC Engineering to accept the work performed under Contract 93-S-52, Pine Valley Section 15 Sanitary Sewer

as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed under Contract 93-S-52. Motion carried. Acceptance letter to be sent to Macke Development Corporation.

10. Received recommendation from WPC Engineering to accept the work performed under Contract 94-S-7, Newkirk/Neace Sanitary Sewer at Diebold as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed under Contract 94-S-7. Motion carried. Acceptance letter to be sent to Mel Graber Excavating.

11. Received recommendation from WPC Engineering to accept the work performed under Contract 94-S-13, Woodmont Ridge Section II Sanitary Sewer as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed under Contract 94-S-13. Motion carried. Acceptance letter to be sent to Scheidleman Excavating, Inc.

12. Received recommendation from WPC Engineering to accept the work performed under Contract 94-S-14, Lincoln Life Child Care Facility Combination Sewer Reroute as an integral part of the City's combined sewer system;
Jim Owen moved to accept the work performed under Contract 94-S-14. Motion carried. Acceptance letter to be sent to Knecht Excavating, Inc.

13. Received recommendation from WPC Engineering that James and June Hatfield's request for deferment of area connection fees on all but one acre be approved. The property is located on the corner of Lake Avenue and Maplecrest Road;
Jim Owen moved approval of request from James and June Hatfield for deferment of area connection fees on all but one acre located on the corner of Lake Avenue and Maplecrest Road. Motion carried. Approval letter to be sent.

14. Revolving Barrett Law claims approval in the amount of $3,582.52;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $3,582.52. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for handling.

15. Claims approval in the amount of $1,171,348.18;
Jim Owen moved approval of Claims in the amount of $1,171,348.18. Motion carried. Claims forwarded to General Accounting for their handling.

16. Old Business:

(I) Jim Owen inquired about an update on the status of All Star Construction Company.

Pat Callahan, WPC Engineer, stated that as soon as All Star presents invoices for work performed on projects in connection with their suspension WPC Engineering will process them and recommend acceptance.

R. David Boyer, Associate City Attorney, recommended that a reminder letter of the suspension be sent to All Star stating that the Board chose suspension rather than debarment and the Board anticipates that All Star will show reciprocal good faith in completing the work in a timely manner.

(II) Jim Owen then inquired about the status of the drainage problem at 2600 block Springfield Avenue, Resolution 927-94.

R. David Boyer, Associate City Attorney, stated that his recommendation is to rescind Resolution 927-94 as prematurely adopted.

Don Hanley, Stormwater Engineer, asked if this bars the City from proceeding within the same project in a year since the property owners remonstrated against this project.

David Boyer stated that he did not know how the court would view it if there were another remonstrance to a new project and that the court still might force the year delay.

17. New Business:

I. Linda Buskirk stated the Board of Public Works issued a Request for Proposal from private companies who operate fleet management services for vehicles. Originally the responses were to be submitted to the Board of Public Works Office by 9:00 a.m. this date. There was an extension requested and granted until 5:00 p.m. on Friday, August 26, 1994. This is not a closed bid and the Controller's Office needs to review these bids before the Board of Public Works meeting next week because they are in the process of compiling the Civil City budget. Linda stated she would give the Board an update and that the Board would be approving the contracts if there is funding appropriated.

Meeting adjourned at 9:37 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 24, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk C. James Owen, Patricia J. Crick, Board of Public Works; Betsy Meyer, Revolving Barrett Law; Vic Bobay, Project Engineer, Sophie Rogarz, guest from Poland.

1. Continuation of Hearing from March 9, 1994 - Confirmation of Assessment - Improvement Resolution 6284-92, Phase I Lincolnshire Addition.

   There was a discussion regarding the pitted sidewalks, damage done by salt and restoration work. Also a property owner inquired about the damage done to Hollis Lane as a result of a water main break. Linda Buskirk stated the damage done by the water main break would be repaired by a private contractor hired by the City.
   Jim Owen moved to confirm Assessment Roll for Improvement Resolution 6284-92, Phase I, Lincolnshire Addition. Motion carried. Assessment Roll confirmed and sent to the Department of Finance.

Hearing adjourned at 11:10 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 31, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Ann Smith and Carolyn Newport, BOW; David Ross, City Engineer; Rick Orr, Right-of-Way; Tom Jones, Street Engineer; Wayne O'Brien, City Plan; Tim Warren, Water Resources; Mike Thornson and Tom Gountras, Stormwater Engineering; Tom Pallone, Pat Callahan and Mike Hicks, WPC Engineering; Terry Atherton, Utility Administration; Charles Bailey, Walter Jordan and Kerry Anzini, Contract Compliance and John Oyer, McNamee, Porter & Seeley.

1. RECEIVE BIDS: Water Contract 94-W-01, Repairs to Existing Clarification Tanks in Plant No. 1 at the Three Rivers Filtration Plant (WATER UTILITY);
No bids received.

2. Approval of Board Minutes of August 24, 1994;
Jim Owen moved approval of Board Minutes of August 24, 1994. Motion carried. Minutes approved as printed and distributed.

3. Approval of Public Hearing Minutes of August 24, 1994 for Improvement Resolution 6284-92, Phase I Lincolnshire Addition;
Jim Owen moved approval of Public Hearing Minutes of August 24, 1994 for Improvement Resolution 6284-94, Phase I Lincolnshire Addition. Motion carried. Minutes approved as printed and distributed.

4. Real Estate Lease between the City and the Pettit-Rudisill Neighborhood Association for Lot No. 8 in Edgewood Addition, located on the southwest corner of the intersection of Avondale and Maple Grove for the sum of $1.00 a year for 20 years. Purpose of this will be community center/ neighborhood garden plots and other neighborhood recreational uses;

   Linda Buskirk stated that this building was the old I & M Power Company Plant Substation which is being turned into a Bicentennial Lasting Legacy project by the Pettit-Rudisill Neighborhood Association.
   Jim Owen moved approval of Real Estate Lease between the City and the Pettit-Rudisill Neighborhood Association for Lot No. 8 in Edgewood Addition, located on the southwest corner of the intersection of Avondale and Maple Grove for the sum of $1.00 a year for 20 years. Motion carried. Copy on file in vault.

5. Received recommendation from Water Engineering to accept the work performed under Contract 9404, Stillwater Place Section V as an integral part of the City's water main system;
Jim Owen moved to accept the work performed under Contract 9404. Motion carried. Acceptance letter to be sent to Scheidleman Excavating, Inc.

6. Approval of the Engineering Estimate and the Surety Agreement for Centennial Industrial Park Section IX;

   Wayne O'Brien, City Planning, stated that this is covered by the Subdivision Control Ordinance and is one of the final steps before a plat can be recorded. It assures that the developer will make all the improvements.
   Jim Owen moved approval of the Engineering Estimate and the Surety Agreement for Centennial Industrial Park Section IX. Motion carried. Copy on file. Plat to be presented next week.

7. Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6321-93, Pettit Avenue (3-R) Total Reconstruction decreasing the contract price by $341.77. Original contract price was $283,620.50;
Jim Owen moved approval of Change Order 2 received from Brooks Construction Co. Inc. for Resolution 6321-93 decreasing the contract price by $341.77. Motion carried. Copy on file.

8. Change Order 3 received from Brooks Construction Co., Inc. for Resolution 6325-94, Collins Road Improvements increasing the contract price by $12,946.50. Original contract price was $221,231.25;

Jim Owen moved to table Change Order 3 received from Brooks Construction Co., Inc. for Resolution 6325-94 until next week. Motion carried. Ann Smith is to notify Board by CEO regarding total of Change Orders 1 and 2.

9. Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6345-94, Maplewood Road Pavement Restoration - Bluffton Road to Pinedale Drive increasing the contract price by $7,300.00. Original contract price was $56,907.40;
Jim Owen moved approval of Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6345-94 increasing the contract price by $7,300.00. Motion carried. Copy on file.

10. Approval of Board Certification of Projects. This certifies that the projects are completed and inspected according to City Specifications. The Resolutions are listed below:

Resolution 6297-93, Dodge Avenue - N. Anthony to Woodward - Phase I (REVOLVING BARRETT LAW/COIT);

Resolution 6321-93, Pettit Avenue Total Street Reconstruction (CEDIT FUNDED);

Resolution 6322-94, Taylor Street Resurfacing Project (CEDIT FUNDED);

Resolution 6323-94, Right Turn Lane, Illinois & Jefferson (CEDIT FUNDED);

Resolution 6335-94, Ludwig Road (CEDIT BOND);

Resolution 6341-94, Lawton Place Resurfacing - Griswold Drive to Spy Run (CEDIT NEIGHBORHOOD);

Ann Smith, Board of Works, stated that in reviewing the City contracts there are some inconsistences in the terms of the maintenance bond. The contract also states "the Board of Public Works shall issue a final certificate stating the work provided in this Contract has been completed and accepted" and further stating that the E.B.E. Rider goal has been met.

Jim Owen inquired if final retainage can be released upon receipt of this letter.

Charles Bailey, Contract Compliance, stated the contractors are eligible for payment but the payment is routed through the Contract Compliance Office.

Charles Bailey also stated that his department had some problems with compliance on prevailing wage requirements on Resolutions 6321-93, 6323-94, 6324-94 and 6341-94.

David Ross, City Engineer, stated this letter proves that the items that were contracted for are completed and in service and therefore we should start the maintenance bond period at that time because the City is enjoying the benefits of the improvement. It is a different issue whether the contractor has met all compliance requirements and retainage can be released. If the Board acknowledges substantial completion, the City can still hold the retainage until Compliance requirements have been met. This letter gives the contractor a notice that he has started the maintenance bond period.
Jim Owen moved approval of Certification of Projects for Resolution 6297-93 and 6322-94. Motion carried. Certification for Resolution 6297-93 and 6322-94 to be sent to Wayne Asphalt & Construction Company. The other resolutions are tabled until new wording is established or until compliance issues are resolved.

11. Amendment #1 to Wastewater and Stormwater Facilities Master Plan Professional Services Agreement between the Fort Wayne Water Pollution Control Utility and RUST Environment & Infrastructure Inc. (SEWER UTILITY);

Pat Callahan, WPC Engineering, stated that this Amendment is equivalent of a change order to a consultant contract. The City is requesting the consultant to perform additional services including performance of a Wastewater Treatment Plant Stress Test, development of a Combined Sewer Overflow Volume Chart, and surveying to determine elevations of approximately 180 manholes in the combined sewer system. This will be funded by the 1994 CIP fund.

Jim Owen moved approval of Amendment #1 to Wastewater and Stormwater Facilities Master Plan Professional Services Agreement between the Fort Wayne Water Pollution Control Utility and RUST Environment & Infrastructure Inc. Motion carried. Copy on file in vault.

12. **RESOLUTION** for vacation of a ten (10) foot wide east-west alley south of Lewis Street; north of Douglas Street; between McClellan and Webster Streets. Petitioned by Lincoln National Life Insurance Company;
Jim Owen moved approval of Resolution for vacation of a ten (10) foot wide east-west alley south of Lewis Street; north of Douglas Street; between McClellan and Webster Streets. Motion carried. Resolution forwarded to City Plan for their handling. Copy on file.

13. **RESOLUTION 526-1994,** St. Joe Center Road Relief Sewer (SEWER UTILITY);

Tom Pallone, WPC Engineering, stated that several weeks ago a presentation was made to the Board regarding a Canterbury Relief Sewer and it was not the right project for the problem in hand. Originally the sewer was going from the north side of Market Place of Canterbury going west and then south into Canterbury Green Apartment Complex under Roebuck Drive. The new proposed sewer will start at north side of Marketplace of Canterbury going due north under St. Joe Center Road up to Upper St. Joe Center Road thence west under St. Joe River tieing into St. Joe Interceptor.
Jim Owen moved approval of Resolution 526-1994. Motion carried. Copy herein incorporated.

14. **RESOLUTION** Concerning Need for Consultant Services for St. Joe Center Road Relief Sewer (SEWER UTILITY);

Pat Callahan, WPC Engineering, stated that special requirements and permits are needed resulting in the need for a consultant for this project. Two engineers that are to be involved in this project will be designing this type project in-house in the future.
Jim Owen moved approval of Resolution Concerning Need for Consultant Services for Canterbury Relief Sewer. Motion carried. Copy herein incorporated.

15. **RESOLUTION 527-1994,** St. Joseph River Bank Erosion Control (SEWER UTILITY);
Jim Owen moved to approve Resolution 527-1994. Motion carried. Copy herein incorporated.

16. **RESOLUTION** Concerning Need for Consultant Services for St. Joseph River Bank Erosion Control (SEWER UTILITY);

Mike Hicks stated that special requirements and permits are needed on this project also resulting in the need for a consultant.

Terry Atherton, Utility Administration, stated that time is also an issue on this project.
Jim Owen moved to approve Resolution Concerning Need for Consultant Services for St. Joseph River Bank Erosion Control. Motion carried. Copy herein incorporated.

17. Water Contract 9409 between North Eastern Construction Co., Inc. and the Fort Wayne Water Utility to construct water main systems to serve Stillwater Place Section VI (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9409 between North Eastern Construction Co., Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

18. Received the following petitions during the period of Wednesday, August 24, 1994 up to and including Tuesday, August 30, 1994:

Petition for standard street lighting improvements directly in front of 4115 Country Club Road;

Petition for standard street lighting improvements at the end of Ward Drive;

Petition for standard street lighting improvements on Twilight Lane between Red Oak and Althean Drive;

Petition for additional alley lighting in the alley 900 & 1000 block of Cottage & Wildwood between Indiana and Beaver. Alley runs east-west;

Petition for sidewalk replacement at 920 West Sherwood Terrace;
Jim Owen moved that the Board accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective engineering departments for their investigation.

19. Revolving Barrett Law claims approval in the amount of $34,003.48.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $34,003.48. Motion carried. Claims forwarded to Revolving Barrett Law Office for their handling.

20. Claims approval in the amount of $17,241,904.10.
Jim Owen moved approval of claims in the amount of $17,241,904.10. Motion carried. Claims forwarded to General Accounting for their handling.

21. Old Business:

Jim Owen stated he appreciated informational CEO memos sent to him prior to Board meetings by staff members.

22. New Business:

None.

Meeting adjourned at 9:45 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

August 31, 1994

Storm Water Management Board
Third Floor Conference Room
Meeting held at 9:45 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Ann Smith and Carolyn Newport, BOW; David Ross, City Engineer; Rick Orr, Right-of-Way; Tom Jones, Street Engineer; Wayne O'Brien, City Plan; Tim Warren, Water Resources; Mike Thornson and Tom Gountras, Stormwater Engineering; Tom Pallone, Pat Callahan and Mike Hicks, WPC Engineering; Terry Atherton, Utility Administration; Charles Bailey, Walter Jordan and Kerry Anzini, Contract Compliance and John Oyer, McNamee, Porter & Seeley.

1. Approval of minutes of August 17, 1994;
   Jim Owen moved approval of minutes of August 17, 1994. Motion carried. Minutes approval as printed and distributed.

2. **RESOLUTION 518-94,** Hawthorne Street/South Court Area Drainage Improvement (STORMWATER UTILITY);
   Jim Owen moved approval of Resolution 518-94. Motion carried. Copy herein incorporated.

3. **RESOLUTION 519-94,** Pontiac Street Underpass Drainage Improvement (STORMWATER UTILITY);
   Jim Owen moved approval of Resolution 519-94. Motion carried. Copy herein incorporated.

4. Received recommendation from Assistant Chief Stormwater Engineering to rescind Resolution 927-94, 2600 Block of Springfield Avenue;

   Mike Thornson, Stormwater Engineering, stated that property owners did not petition for an actual improvement but just wanted a stormwater survey and evaluation. A response is being prepared stating that the City was premature in presenting an actual stormwater improvement. He also stated that if the property owners want to go head with the project they may submit another petition.
   Jim Owen moved to rescind Resolution 927-94. Motion carried. Resolution 927-94 rescinded.

5. New Business:

   Jim Owen inquired if there is a long term plan to build more detention areas.

   Mike Thornson, Stormwater Engineering, stated that up to this point the City has not designed any detention areas. The parks have some and the City does routinely require sizable developments to build detention areas. A problem with that is the City expects the associations to maintain them and that sometimes does not occur. We are currently looking at the possibility of the City getting more involved in taking over detention basins again. In the Master Plan, the consultants are going to help the City formulate a policy for detention areas and various sheds throughout the City.

6. New Business:

   None.

Meeting adjourned at 10:09 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

September 7, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Terry Atherton, Utility Administration; David Ross, City Engineer; Tom Jones and Denny Root, Street Engineering; Charles Bailey, Walter Jordan and Kerry Anzini, Contract Compliance; Pat Callahan, WPC Engineering; Tim Warren and Roger Warner, Water Resources; Doug Pooler, Filtration Plant; Neil Wisler, WPC Plant; Wayne O'Brien, Zoning; Ron Fletcher, C&ED; Mary Jane Slaton, Public Information Office; Rick Orr, Right-of-Way; Charles Evanson, Solid Waste Department; Ray Kocher, HNTB and Barry Pruitt, Waste Management.

1. **RECEIVE BIDS** - Resolution 6351-94, West State Blvd. - Sherman to Hensch Street (CEDIT BOND)

Brooks Construction	65,340.76
S. E. Johnson Cos.	71,245.31
Wayne Asphalt	64,516.26
Eng. Est.	64,516.26

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6352-94, Creighton-Home Neighborhood Improvements - 1994 (CDBG)

Brooks Construction	168,453.25
Dehner Construction	167,555.75
Key Concrete, Inc.	117,189.50
Mergy Construction	141,242.50
Eng. Est.	131,032.00

Street Engineering to tabulate and report.

3. **RECEIVE BIDS** - Resolution 1061-93, Paulding Road Water Main Extension (WATER UTILITY/REVOLVING BARRETT LAW

	BASE	ALTERNATE BID
Bercot, Inc.	57,365.00	50,889.00
Dehner Construction	47,821.20	37,815.40
Scheidleman Excavating	89,436.65	78,897.73
Site Contractors, Inc.	49,920.37	39,466.53
Eng. Est.	55,612.50	50,027.50

Water Engineering to tabulate and report.

4. **RECEIVE BIDS** - Resolution 1062-94, Seddlemeyer Water Main Extension (WATER UTILITY/REVOLVING BARRETT LAW)

Bercot, Inc.	48,148.00
Dehner Construction	39,928.00
Pyramid Excavating, Inc.	30,435.30
Scheidleman Excavating	56,286.30
Eng. Est.	48,542.50

Water Engineering to tabulate and report.

5. **RESOLUTION** to amend Sewer Utility Rules and Regulations Numbers 1, 6 and 15.

Neil Wisler, WPC Plant, stated the United States Environmental Protection Agency Region V conducted an audit of the Fort Wayne WPC Plant resulting in amendments in the Sewer Utility Rules and Regulations as outlined in the resolution which is herein incorporated. Neil Wisler gave a brief summation of the changes as follows:

I. Under #1 "Definitions" the language was clarified under "Significant Non-Compliance".

II. Under #6 "Limitation of Concentrations Permitted In Industrial Wastes" the numeric values for the limits originally had "Monthly Average" listed and it was changed to read "Maximum Daily Limitation".

III. Under #15 "Public Notification" the last paragraph was omitted.
Jim Owen moved approval of Resolution to amend Sewer Utility and Regulations Numbers 1, 6 and 15. Motion carried. Copy herein incorporated.

6. **EMERGENCY RESOLUTION** for design and installation of telemetry system to provide the necessary fire protection per the agreement made with the Nestle Company, Inc. (WATER UTILITY);

Tim Warren, Water Resources, stated that The Nestle Co., Inc. built a 750,000 sq. ft. distribution warehouse at Pleasant Center Road and Bluffton Road. The new water main that was constructed by the County to serve the facility is unable to provide the demand due to telemetry constraints. The design criteria given to us by Nestle was met on two separate dates by doing flow tests. Since that time, Nestle has not been able to recreate the same results of that same flow test and we are experiencing problems on the distribution system. The City is proposing to provide the design and installation of a telemetry system to provide the necessary fire protection per agreement with Nestle. The estimated cost is $38,000.
Linda Buskirk moved approval of Emergency Resolution for design and installation of telemetry system to provide the necessary fire protection per the agreement made with the Nestle Company, Inc. Motion carried. Copy herein incorporated.

7. Discussion and determination of options regarding Project #94-W-01 Repairs to Plant #1 West Clarification Tank at the Three Rivers Filtration Plant (WATER UTILITY);

Linda Buskirk, Chairman, stated that there were no bids received on Project #94-W-01 on 8/31/94. Tim Warren, Water Resources, and Charles Bailey, Contract Compliance, were asked for their input since the situation involves the EBE Policy.

Tim Warren, Water Resources, stated that the Consultant, McNamee, Porter & Seeley and Water Resources staff contacted primary contractors and 5 EBE's after the Board meeting last week. Two contractors stated that they did not have time to look at bid documents correctly and the other two stated that they did not bid the job because of the EBE clause. Of the five EBE's that were called, one had a disconnected phone number, one had a cellular phone and could not be contacted, the third did mainly architectural sheet metal work, and the fourth and fifth were sheet metal contractors and both said they would be in the next few days. One EBE did request a set of plans mailed and will review them. The other contractor did not come in.

Charles Bailey, Contract Compliance, stated that he feels it is a reasonable request to have the contractors make a good faith effort for the 10% EBE requirements. He stated his department also made some calls to EBE contractors and one MBE might be able to do some of the work. He agreed to contact that company and advise whether they are willing to bid on the subcontracting.

Tim Warren then offered the following options.

(a) Re-Bid project with the Board of Works determining course of action regarding the EBE clause. The time table with this option would have a completion date of 12/12/94.

(b) Adopt an Emergency Resolution on 9/14/94 with the Board of Works to determine the EBE course of action. By taking this course the completion date would be 11/20/94.

Doug Pooler, Filtration Plant, stated that once this job is started the City has to have it done in the above mentioned time frame to avoid the jeopardy of having problems with plant #3 freezing and not being able to provide water to the City.

Linda Buskirk stated she would like to have more EBE participation on City projects.

David Boyer, Associate City Attorney, gave all the legal aspects of EBE requirements.

Tim Warren stated there was an emergency resolution that was passed on May 18, 1994 regarding this project for McNamee, Porter & Seeley to conduct a study and provide engineering for repairs and to a General Contractor for demolition and construction of recommended changes. Circumstances of the high pumpage season prevented the construction work from being bid out at that time.

David Boyer stated that he didn't think that an emergency resolution passed in May would still be in effect.

Jim Owen stated the following for the record:

(I) This Board stands strongly behind the fulfillment of EBE commitments.

(II) Secondly, he stated that the staff is to be commended on the extra work that they did to foster EBE response, but cautioned them that the Board of Public Works does not want to set a precedent.
Jim Owen moved that the Board determine that an emergency exists concerning the project work to be performed on 94-W-01. Motion carried. Emergency resolution to be presented and determination of percentage of EBE requirements to be established by Friday by Contract Compliance.

8. Approval of Board Minutes of August 31, 1994;
Jim Owen moved approval of Board Minutes of August 31, 1994. Motion carried. Minutes approved as printed and distributed.

9. Encroachment License Agreement between the City and Phelps Dodge Magnet Wire Company to place an irrigation line one (1) foot deep parallel to the curb on the east side of the Coliseum Blvd. right-of-way in the park strip. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and Phelps Dodge Magnet Wire Company to place an irrigation line one (1) foot deep parallel to the curb on the east side of the Coliseum Blvd. right-of-way in the park strip. Motion carried. Copy forwarded to the Recorders Office for recordation.

10. Change Order 1 received from Wayne Asphalt & Construction Co. for Resolution 6305-93, E. State Blvd. - White Oak to Coliseum increasing the contract price by $9,082.00. Original contract price was $832,548.84;
Jim Owen moved approval of Change Order 1 received from Wayne Asphalt & Construction Co. for Resolution 6305-93 increasing the contract price by $9,082.00. Motion carried. Copy on file.

11. Change Order 1 received from Wayne Asphalt & Construction Co. for Resolution 6241-94, Lawton Place - Resurfacing decreasing the contract price by $4,240.80. Original contract price was $28,576.00;
Jim Owen moved approval of Change Order 1 received from Wayne Asphalt & Construction Co. for Resolution 6241-94 decreasing the contract price by $4,240.80. Motion carried. Copy on file.

12. Change Order 3 received from Brooks Construction Co., Inc. for Resolution 6325-94, Collins Road Improvements increasing the contract price by $12,946.50. Original contract price was $221,231.25 (TABLED FROM LAST WEEK);
Jim Owen moved approval of Change Order 3 received from Brooks Construction Co., Inc. for Resolution 6325-94 increasing the contract price by $12,946.50 since the staff reported that the cumulative change orders would not approach the 20% limit. Motion carried. Copy on file.

13. Change Order 1 received from Indiana Construction for the Digester Modification Project increasing the contract price by $56,652.00. Original contract price was $2,823,750.00;

Neil Wisler, WPC Plant, and Ray Kocher, HNTB, informed the Board the reason for the change order was as follows. Due to the inability to remove the amount of methane gas being produced during the treatment and stabilization of sludge, excessive foaming was experienced in Digester No. 6. The pressure produced by the foaming sludge beneath the digester cover is thought to have caused the cover lift-up on one side and thus becoming lodged again the corbels and wall of the tank. Numerous attempts were made to correct the cover position, but were not successful. Because of the important role the digesters play in the stabilization of sludge to meet stringent treatment regulations and to allow for proper operation of the digestersand since it was found that Digester No. 5 has severe structural member deterioration which may require a new cover, it was determined that only one of the existing six digesters can be taken out of service for lengthy period of time. Therefore, the cover to Digester No. 6 must be reoriented and repaired. The cover to Digester No. 5 will be considered at a later date as a possible future project and not part of the current contracts.

The excessive weight of the digester cover (approximately 125 tons), and the general working environment around digesters, require special safety precautions. In order to inspect the cover for damage and recommend repairs, the roof of the cover and sludge inside the tank must be removed. The cover must be sufficiently secured while this work is being done to prevent further tilting and avoid possible injury. This change order addresses the removal of the precast concrete roof sections of the cover to allow for inspection. The extent of corrective work and rehabilitation found necessary as a result of the inspection will be addressed in a future change order. The removal of the sludge is already included in the Division I project.

The problems related to Digester No. 6 did not exist at the time of design and bidding preparation for the Division I contract work, but instead, developed during the construction period.

These repairs will improve the efficiency of the digesters.
Jim Owen moved approval of change order 1 received from Indiana Construction for the Digester Modification Project increasing the contract price by $56,652.00. Motion carried. Copy on file.

14. Received the following petitions during the period of Wednesday, August 31, 1994 up to and including Tuesday, September 6, 1994:

Petition for sidewalk installation or replacement in front of 4708 S. Calhoun Street;

Petition for additional standard street lighting between the intersections of Sundale Drive and Elmdale Drive with Waycross Drive and between the intersections of Elmdale Drive and Homedale Drive with Waycross Drive;

Petitions for standard street lighting at Evergreen Lane and Oakpark Drive from Trier to Wyandotte. Also, Dewberry Drive and the 3800-3900 block of Hampshire;
Jim Owen moved that the Board accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective engineering departments for their investigation.

15. Acceptance of secondary subdivision plat for Centennial Industrial Park Section IX;
Jim Owen moved approval of acceptance of secondary subdivision plat for Centennial Industrial Park Section IX. Motion carried. Plat approved.

16. Received Parking Lot Use Agreement to use Freimann Square Parking Lot for the 17th Summit City 10K/Making Strides beginning Saturday October 1, 1994 and ending on Sunday, October 2, 1994. Request to waive the fees totaling $56.00. This request is from the American Cancer Society;
Jim Owen moved approval of Parking Lot Use Agreement to use Freimann Square Parking Lot for the 17th Summit City 10K/Making Strides beginning Saturday October 1, 1994 and ending on Sunday, October 2, 1994 and to waive fees. Motion carried. Copy on file.

17. RESOLUTION to acquire real estate for ambulance facility;

R. David Boyer, Associate City Attorney, stated the Three Rivers Ambulance Authority is relocating. The City has a bond issue that will build the building and lease it to the Three Rivers Ambulance Authority. Much of the ground has been acquired by private negotiations. There are four tracts that the City may have to condemn and this resolution is the first step which authorizes us to acquire the four tracts at the mean appraised value between two appraisals. With Council approval the City will start the process, make a good faith offer on the property at the mean appraised value and if that is rejected then go through the condemnation process. This land will be part of the Headwaters State Park site.
Jim Owen moved approval of Resolution to acquire real estate for ambulance facility. Motion carried. Copy herein incorporated.

18. Received request from Waste Management for increase of $.25 per ton for tipping fees. This will be retroactive to April 15, 1994;

R. David Boyer, Associate City Attorney, stated that under the City waste contract there is a provision that when state regulation causes an increase in tipping fees that is assessed to the waste hauler, the garbage contractor has a right to come to the City to fund that increase and tipping fee, whereas the regulation could not have been contemplated at the time of bid. The City has received notification that there was an increase in tipping fees to the landfill. This necessitated a $.25 per ton increase to the City effective April 15, 1994. This will mean about an $11,000 increase to the City.
Jim Owen moved approval of request from Waste Management for increase of $.25 per ton for tipping fee charge. Motion carried. Request approved.

19. Revolving Barrett Law claims approval in the amount of $736.02.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $735.02. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.

20. Old Business:

None.

21. New Business:

None.

Meeting adjourned at 10:50 a.m.

Linda Buskirk

Linda Buskirk, Chairman

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

September 14, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Ann Smith & Carolyn Newport, BOW; Charles Bailey, Walter Jordan & Kerry Anzini, Contract Compliance; Rick Orr, Right-of-Way; Kathy Friend, Dept. of Finance; Deb Farrell & Terry Atherton, Utility Administration; R. David Boyer, Assoc. City Attorney.; Steve Martin, City Utilities Accounting; Roger Warner, Water Engineering; Tom Jones, Denny Root & Jeff Grogg, Street Engineering; Mike Hicks, Ray Wigfield & Pat Callahan, WPC Engineering; Mike Thornson, Storm Water Engineering; Sandy Maldeney, Property Manager; Melanie Hickman, Police Department and Mary Jane Slaton, Public Information Office.

1. **RECEIVE BIDS** - Resolution 525-1994, State Rd. I-469 Interstate 69 Interchange Sanitary Sewer Relocation (Sewer Utility);

Crider & Crider	874,225.00
T-G Incorporated	750,000.00
Eng. Est.	$591,030.00

WPC Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6348-94, South Wayne Avenue - Home Avenue to Creighton Avenue (Cedit Neighborhood/Revolving Barrett Law);

Brooks Construction	136,936.49
Dehner Construction	131,363.75
Mergy Construction	113,965.00
Newell Construction	99,672.00
Eng. Est.	$126,067.50

Street Engineering to tabulate and report.

3. **RECEIVE BIDS** - Resolution 6354-94, Boone Street/Center Street/Camp Allen Drive Improvements (CDBG);

Brooks Construction	79,874.20
Dehner Construction	78,630.00
Key Concrete	65,129.00
Mergy Construction	57,783.50
Newell Construction	51,153.10
Eng. Est.	$65,828.50

Street Engineering to tabulate and report.

4. **RECEIVE BIDS** - Repairs and/or replacement of fire alarm system at the Police Operations Center (POLICE BUDGET);

Commercial Communications	63,960.94
Fire Systems Inc.	19,986.00
Orr Protection Systems, Inc.	53,126.00

Sandy Maldeney, Property Manager, to tabulate and report.

5. AWARD: Resolution 6351-94, West State Blvd. Resurfacing - Sherman Blvd. to Hensch Street to Wayne Asphalt & Construction Co., Inc. in the amount of $64,516.26 (CEDIT BOND);
Jim Owen moved approval of award for Resolution 6351-94 to Wayne Asphalt & Construction Co., Inc. in the amount of $64,516.26. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

6. AWARD: Resolution 6352-94, Creighton-Home Neighborhood Improvements - 1994 to Key Concrete Co., Inc. in the amount of $117,189.50 (CDBG) PRIOR APPROVAL REQUESTED;

Jim Owen moved approval of award for Resolution 6352-94 to Key Concrete Co., Inc. in the amount of $117,189.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

7. AWARD: Resolution 1061-93, Paulding Road Water Main Extension to Dehner Construction Co. in the amount of $47,821.20 for the Base Bid and $37,815.40 for the Alternative Bid (WATER UTILITY/REVOLVING BARRETT LAW);
Jim Owen moved approval of award for Resolution 1061-93 to Dehner Construction Co. in the amount of $47,821.20. Motion carried. Notice of Award to be sent. Water Engineering to prepare contracts.

8. AWARD: Resolution 1062-94, Seddlemeyer Water Main Extension to Pyramid Excavating, Inc. in the amount of $30,435.30 (WATER UTILITY);
Jim Owen moved approval of award of Resolution 1062-94 to Pyramid Excavating, Inc. in the amount of $30,435.30. Motion carried. Notice of Award to be sent. Water Engineering to prepare contracts.

9. Approval of Board Minutes of September 7, 1994;
Jim Owen moved approval of Board Minutes of September 7, 1994. Motion carried. Minutes approved as printed and distributed.

10. Change Order 1 received from Dehner Construction Co., Inc. for Resolution 6317-93, Parnell Avenue - Romy to State increasing the contract price by $54,654.00. Original contract price was $126,131.80;

    Linda Buskirk stated that on July 6, 1994, David Ross, City Engineer, reported that as the contractor started the pavement removal for the curb and sidewalk reconstruction on this project, the concrete pavement under the asphalt overlay was discovered to be deteriorated. The Board concurred with the staff recommendation that all the existing pavement be removed and be constructed with bituminous pavement thus resulting in this change order.
    Jim Owen moved approval of Change Order 1 received from Dehner Construction Co., Inc. for Resolution 6317-93 increasing the contract price by $54,654.00. Motion carried. Copy on file.

11. Change Order 1 received from Mergy Construction Co., Inc. for Resolution 6339-94, Neighborhood Commercial Capital Improvements - Pkg. 93-B decreasing the contract price by $320.74. Original contract price was $25,854.00;
Jim Owen moved approval of Change Order 1 received from Mergy Construction Co. Inc. for Resolution 6339-94 decreasing the contract price by $321.74. Motion carried. Copy on file.

12. Sewer Contract 94-S-24 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Still Water Place Section VI (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-24 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

13. Approval of Board Certification which certifies the projects are completed and inspected according the City specifications for the following projects:

    Resolution 6284-92, Lincolnshire Addition Phase I (COIT/REVOLVING BARRETT LAW);

    Resolution 6321-93, Pettit Avenue Total Street Reconstruction (CEDIT)

    Resolution 6323-94, Right Turn Lane, Illinois & Jefferson (CEDIT);

    Resolution 6327-94, Tillman Road Resurfacing - John Street to Stellhorn Bridge (CEDIT BOND);

    Resolution 6335-94, Ludwig Road (CEDIT BOND);
    Jim Owen moved approval of Certifications of Projects for Resolution 6284-92, 6321-93, 6327-94 and 6335-94. Motion carried. Letters of Certifications to be sent to respective contractors.

14. Received the following petitions during the period of Wednesday, September 7, 1994 and Tuesday, September 13, 1994:

    Petition for sidewalk installation or replacement on the west side of 3000 block Beaver Avenue including front of 1104 W. Wildwood and front of 1103 Cottage Avenue;

    Petition for sidewalk installation or replacement at 5030 and 5110 Wisteria;
    Jim Owen moved that the Board accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective engineering departments for their investigation.

15. Received recommendation from Water Engineering to accept Contract 9315, Olde Canal Place and Contract 9316, Olde Canal Place Phase I as an integral part of the City's water main system;
Jim Owen moved to accept Contract 9315 and 9316 as an integral part of the City's water main system. Motion carried. Acceptance letters to be sent.

16. Received Escrow Agreement from Robbco, Inc. in connection with Contract 94-02, Restoration of Water Maintenance Utility Cuts. Escrow Agent is Ossian State Bank;
Jim Owen moved approval of Escrow Agreement from Robbco, Inc. in connection with Contract 94-02, Restoration of Water Maintenance Utility Cuts. Escrow Agent is Ossian State Bank. Motion carried. Escrow Agreement forwarded to Ossian State Bank. Copy on file.

17. **EMERGENCY RESOLUTION** to repair and/or replace the fire system at the Police Operations Center;

    Charles Bailey, Contract Compliance, stated that if the contractor repairs the fire system at the Police Operations Center it is not a prevailing wage project but if they replace the fire system then the contractor will have to comply with the prevailing wage schedule.
    Jim Owen moved approval of Emergency Resolution to repair and/or replace the fire system at the Police Operations Center. Motion carried. Copy herein incorporated.

18. **RESOLUTION** authorizing the transfer of funds between certain accounts within the 1994 budgets of certain City Departments, additional appropriations and disappropriations;

    Cathy Friend, Department of Finance, stated this Resolution is a formalized process for adjustments to be made to the City Utility budgets that will be presented to the Board on a quarterly basis.
    Linda Buskirk moved approval of Resolution authorizing the transfer of funds between certain accounts within the 1994 budgets of certain City Departments, additional appropriations and disappropriations. Motion carried. Copy herein incorporated.

19. **RESOLUTION** to acquire sanitary sewer easements from the Fort Wayne Community Schools needed for the construction of Fire Station 13 on North Clinton Street, just south of the Maple Holland School;

    R. David Boyer, Associate Attorney, stated that in building Fire Station #13, the City needs to acquire certain sanitary/sewer easements from the Fort Wayne Community Schools and Fort Wayne Community Schools needs to acquire storm/sewer easements across from the land owned by the City. The Fort Wayne Community Schools have executed the agreements which will be presented to the Mayor and City Clerk for their execution. This resolution approves the forthcoming agreements for easements.
    Jim Owen moved approval of Resolution to acquire sanitary sewer easements from the Fort Wayne Community Schools needed for the construction of Fire Station 13 on North Clinton Street, just south of the Maple Holland School. Motion carried. Copy herein incorporated.

20. Approval of five (5) appraisals for the purchase of easements that are required for the relocation of a water line due to the I-469 project. Approval is necessary to begin the negotiations with the affected property owners. The easements will be purchased by the Water Utility with 100% reimbursement from Indiana Department of Transportation;
Jim Owen moved approval of five (5) appraisals for the purchase of easements that are required for the relocations of water line due to the I-469 project. Motion carried. Copy on file in vault.

21. Approval of one (1) appraisal for the purchase of easements that are required for the relocation of a sanitary sewer line due to the I-469 project. Approval is necessary to begin the negotiations with the affected property owners. The easements will be purchased by the Sewer Utility with 100% reimbursement from Indiana Department of Transportation;
Jim Owen moved approval of one (1) appraisal for the purchase of easements that are required for the relocation of a sanitary sewer line due to the I-469 project. Motion carried. Copy on file in vault.

22. Discussion regarding petition received for sanitary sewer installation (manhole) at Lot #15 in Kirkwood Park Addition, 2210 Springfield Avenue;

    Pat Callahan stated that property owners in the Kirkwood Addition are experiencing difficulty with a sewer line that was installed approximately in the 1940's and there is a question whether this is a private or public sewer. The staff recommendation is for the City to acquire the easements from the property owners so they can access the sewer for maintenance.
    The Board concurred with the recommendation from WPC Engineering for the City to proceed with acquiring the easements from the property owners. After the

easements are acquired, WPC Engineering will send a recommendation for acceptance of the sewer.

23. Claims approval in the amount of $9,713,202.00 for the week of September 7, 1994;
Jim Owen moved approval of Claims in the amount of $9,713,101.00. Motion carried. Claims forwarded to General Accounting for their handling.

24. Claims approval in the amount of $12,717,957.56 for the week of September 14, 1994;
Jim Owen moved approval of Claims in the amount of $12,717,957.56. Motion carried. Claims forwarded to General Accounting for their handling.

25. Taxi Cab License Applicant Mark A. Wappes;
Jim Owen moved approval of Taxi Cab License Applicant Mark A. Wappes. Motion carried. License to be issued.

26. Old Business:

Linda Buskirk gave an update on the Comcast negotiations. She stated there is a possibility that Comcast will continue into what is called a formal process of a cable negotiation. She also presented a resolution authorizing the extension of the current franchise agreement which technically expired August 19, 1994. The resolution states that Comcast is authorized to operate the cable television system in Fort Wayne in full compliance with all the terms and conditions for a period commencing on the expiration date of the franchise as previously extended which was August 19, 1994 and continuing through either the date on which the franchise is renewed or June 1, 1995. She stated it could go longer than that if the formal process is utilized. **Linda Buskirk moved to approve Resolution Authorizing an Extension of the Term of the Franchise Granted to Comcast Cablevision of Indiana, L. P. to Operate a Cable Communications Systems. Motion carried. Copy herein incorporated.**

27. New Business:

Deb Farrell, Utility Administration presented a preliminary copy of the City Utilities Budget. A formal presentation will be given at the Board meeting next week.

Meeting adjourned at 10:05 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

September 14, 1994

Storm Water Management Board
Third Floor Conference Room
Meeting held at 9:45 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Ann Smith & Carolyn Newport, BOW; Charles Bailey, Walter Jordan & Kerry Anzini, Contract Compliance; Rick Orr, Right-of-Way; Kathy Friend, Dept. of Finance; Deb Farrell & Terry Atherton, Utility Administration; R. David Boyer, Assoc. City Attorney.; Steve Martin, City Utilities Accounting; Roger Warner, Water Engineering; Tom Jones, Denny Root & Jeff Grogg, Street Engineering; Mike Hicks, Ray Wigfield & Pat Callahan, WPC Engineering; Mike Thornson, Storm Water Engineering; Sandy Maldeney, Property Manager; Melanie Hickman, Police Department and Mary Jane Slaton, Public Information Office.

1. Approval of minutes of August 31, 1994;
   Jim Owen moved approval of minutes of August 31, 1994. Motion carried. Minutes approval as printed and distributed.

2. Authorization For Final Payment in connection with Contract 489-1992, Ludwig Road/Sharon Drive Storm Sewer Improvement Phase I in the amount of $17,779.20. Escrow Agent is NBD Bank:
   Jim Owen moved to table Authorization For Final Payment in connection with Contract 489-1992 until next meeting. Motion carried. Authorization tabled until next meeting.

3. Old Business:

   None.

4. New Business:

   None

Meeting adjourned at 10:12 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

September 21, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Carolyn Newport, BOW; Greg Purcell, Chief of Staff; Deb Farrell & Terry Atherton, Utility Administration; Charles Bailey, Walter Jordan and Kerry Anzini, Contract Compliance; R. David Boyer, Associate City Attorney; David Ross, City Engineer; Tom Jones, Street Engineering; Rick Orr, Right-of-Way; Tom Manny, Traffic Engineer; Sandy Maldeney, Property Manager; Tim Warren, Water Resources; Pat Callahan, WPC Engineering, Mike Thornson, Don Hanley, Al Frisinger, Stormwater Engineering; Don Heck, City Utilities Garage; Tim Ochs & John H. Brandt, Attorneys; Beckman, Lawson, Sandler, Snyder & Federoff; Shirley G. Evans, Outsource; Mary Jane Slaton, Public Information Office.

1. **RECEIVE BIDS** - Resolution 523-1994, Queen/Manford/Logan Avenue Storm Sewer Improvement (CDBG)

Bercot, Incorporated	93,928.00
Dehner Construction	85,971.00
Richard Ness Exc.	86,445.92
Eng. Est.	$90,755.00

Stormwater Engineering to tabulate and report.

2. AWARD: Resolution 6348-94, South Wayne Avenue - Home Avenue to Creighton Avenue to Newell Construction, Inc. in the amount of $99,672.50 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6348-94 to Newell Construction Co., Inc. in the amount of $99,672.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. AWARD: Resolution 6354-94, Boone Street/Center Street/Camp Allen Drive Improvements to Newell Construction Co., Inc. in the amount of $51,153.10 (CDBG);
Jim Owen moved approval of Award for Resolution 6354-94 to Newell Construction Co., Inc. in the amount of $51,153.10. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

4. Approval of Board Minutes of September 14, 1994;
Jim Owen moved approval of Board Minutes of September 14, 1994. Motion carried. Minutes approved as printed and distributed.

5. Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6327-94, Tillman Road Resurfacing - John Street to Stellhorn Bridge decreasing the contract price by $12,876.49. Original contract price was $150,678.00;
Jim Owen moved approval of Change Order 1 received from Brooks Construction Co., Inc. for Resolution 6327-94 decreasing the contract price by $12,876.49. Motion carried. Copy on file.

6. Change Order 1 received from Key Concrete Co., Inc. for Resolution 6344-94, Illsley Drive Alley Reconstruction increasing the contract price by $420.67. Original contract price was $24,388.75;
Jim Owen moved approval of Change Order 1 received from Key Concrete Co., Inc. for Resolution 6344-94 increasing the contract price by $420.67. Motion carried. Copy on file.

7. Received the following petitions during the period of Wednesday, September 14, 1994 up to and including Tuesday, September 20, 1994:

Petition to update Stop Signs and No Parking Signs on Sherwood Terrace and Lafayette Esplanade;

Petition for Inwood Drive to be ended approximately 100 feet past the driveway at 906 Inwood Drive;

Petition for additional standard street lighting in the 2500 - 2800 blocks of Broken Arrow Drive;

Petition for sidewalk replacement at 4618 Whiteford Lane;

Petition for street resurfacing Hartman Road from Old Mill Road to the end;
Jim Owen moved that the Board accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective engineering departments for their investigation.

8. Approval of a contract between the City of Fort Wayne and Fort Wayne Community Schools/Channel 20 for a cable television grant totalling $32,000.00;
Jim Owen moved approval of a contract between the City of Fort Wayne and Fort Wayne Community Schools/Channel 20 for a cable television grant totalling $32,000.00. Motion carried. Copy on file in vault.

9. Approval of a contract between the City of Fort Wayne and Purdue University for IPFW/Channel 6 for a cable television grant totalling $35,030.00;
Jim Owen moved approval of a contract between the City of Fort Wayne and Purdue University for IPFW/Channel 6 for a cable television grant totalling $35,030.00. Motion carried. Copy on file in vault.

10. Approval of a contract between the City of Fort Wayne and Allen County Public Library/Channel 10 for a cable television grant totalling $33,090.00;
Jim Owen moved approval of a contract between the City of Fort Wayne and Allen County Public Library/Channel 10 for a cable television grant totalling $33,090.00. Motion carried. Copy on file in vault.

11. **IMPROVEMENT RESOLUTION 6355-94,** Crown Colony Improvements - Phase I (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6355-94, Crown Colony Improvements - Phase I. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 9/23/94 & 9/30/94 with date to receive bids October 12, 1994.

12. Received Escrow Agreement from All Star Construction & Excavating, Inc. in connection with Resolution 926-93, Hacienda Village Sanitary Sewer. Escrow agent is NBD Bank;
Linda Buskirk moved approval of Escrow Agreement from All Star Construction & Excavating, Inc. in connection with Resolution 926-93, Hacienda Village Sanitary Sewer. Motion carried. Escrow Agreement approved and forwarded to NBD Bank. Copy on file.

13. Auto Liability and General Liability claims in the amount of $51,612.87 per City Ordinance G-18-89;
Jim Owen moved approval of Auto Liability and General Liability claims in the amount of $51,612.87. Motion carried. Auto Liability and General Liability claims forwarded to Risk Management for their handling.

14. Release of sewer easement to Indiana Construction, Inc./4625 Partnership;
Jim Owen moved approval of Release of sewer easement to Indiana Construction, Inc./4625 Partnership. Motion carried. Copy on file in vault.

15. Received Release of Escrow from T-G Excavating Inc. in connection with Resolution 507-1993, Third Street - Franklin Avenue Combination Sewer Reconstruction. Escrow agent is NBD Bank;
Jim Owen moved approval of Release of Escrow from T-G Excavating Inc. in connection with Resolution 507-1994. Motion carried. Release of Escrow forwarded to NBD Bank for their handling. Copy on file.

16. Received recommendation from WPC Engineering to accept Resolution 507-1993, Third Street - Franklin Avenue Combination Sewer Reconstruction as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Resolution 507-1993 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to T-G Excavating.

17. Agreement for Professional Services between the City and Samuel L. Moore & Associates, Inc. for Resolution 526-1994, St. Joseph Center Road Relief Sewer (SEWER UTILITY);
Jim Owen moved approval of Agreement for Professional Services between the City and Samuel L. Moore & Associates, Inc. for Resolution 526-1994. Motion carried. Copy on file in vault.

18. Agreement for Professional Services between the City and Samuel L. Moore &

Associates, Inc. for Resolution 527-1994, St. Joseph River Bank Erosion Control Project (SEWER UTILITY);
Jim Owen moved approval of Agreement for Professional Services between the City and Samuel L. Moore & Associates, Inc. for Resolution 527-1994. Motion carried. Copy on file in vault.

19. Revolving Barrett Law claims approval in the amount of $62,032.45.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $62,032.45. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Department.

20. Claims approval in the amount of $753,643.31.
Jim Owen moved approval of claims in the amount of $753,643.31. Motion carried. Claims forwarded to General Accounting for their handling.

21. Sewer Contract 94-S-28 between River Bend Development Corporation and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve River Bend Bluffs Section V Sanitary Extension;
Jim Owen moved approval of Sewer contract 94-S-28 between River Bend Development Corporation and the Fort Wayne Water Control Utility. Motion carried. Copy on file.

21. EBE Hearing regarding Outsource, Inc. being denied Recertification;

The Board heard testimony from Contract Compliance, John H. Brandt, Attorney for Outsource and a representative from Outsource, Shirley G. Evans. The Board determined that they will come back in an executive session to discuss the matter further with Associate City Attorney, R. David Boyer and make a final decision at a later date.

At 10:30 a.m. Jim Owen moved to recess the Board of Public Works Meeting until after public hearing. Motion carried. Meeting recessed.

Meeting recovened at 10:55 a.m.

22. Presentation of City Utilities budget;

Deb Farrell, Utility Administration, gave highlights for the 1995 budget. The budget includes Water, Sewer, Stormwater, Electric and Garage Utilities. The Operating and Maintenance budget is $33,850,670 and the Capital budget is $8,462,300 for a total 1995 budget of $42,312,970.
City Utilities budget to be presented for Board approval next week.

23. Old Business:

None.

24. New Business:

None.

Meeting adjourned at 11:20 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

September 21, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law Department; Jeff Grogg, Project Engineer, Street Engineering.

1. Final Hearing - Notice of Assessment - Improvement Resolution 6302-93, Fairmont Place Addition Phase III.

   Jeff Grogg, Project Engineer, explained the scope of the project.

   Mr. McNeeley, 4402 Fairfield, stated he was never contacted on what sidewalk was to be replaced and he didn't understand how the City deemed his sidewalk necessary to replace. He stated it was necessary to put in one corner because of wheelchair access.

   Jeff Grogg then explained how the City determines the need for sidewalks.

   Mr. Jones, 4220 Fairfield, questioned if he had to finance replacement of all his driveway or just what was replaced. He also stated 2 sections of the sidewalk had cracked and need to be repaired.

   Jeff Grogg stated that tree roots might have caused the crack in the sidewalk. He stated the sidewalk has settled and will be replaced.
   Jim Owen moved to confirm Assessment Roll for Improvement Resolution 6302-93. Motion carried. Assessment Roll sent to the Department of Finance.

Meeting adjourned 11:49 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

September 28, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, Ann Smith & Carolyn Newport, BOW; David Ross, City Eng., Steve Martin, City Utilities Accounting; Tom Manny, Traffic Engineer; Rick Orr, Right-of-Way; Charles Bailey, Walter Jordan & Kerry Anzini, Contract Compliance; Mike Thornson, Don Hanley & Al Frisinger, Stormwater Engineering; Pat Callahan, WPC Engineering; R. David Boyer, Associate City Attorney; Mary Jane Slaton, Public Information Office; Tim Warren, Water Resources; Tom Jones, Street Engineer; Deb Farrell, Utility Administration and Tim Ochs, Attorney.

1. Approval of Board Minutes of September 21, 1994;
   Linda Buskirk moved approval of Board Minutes of September 21, 1994. Motion carried. Minutes approved as printed and distributed.

2. Change Order 1 received from E & B Paving, Inc. for Resolution 6337-94, Washington Center Road Intersection Improvements, Phase I increasing the contract price by $1,782.00. Original contract price was $326,567.41;
   Jim Owen moved approval of Change Order 1 from E & B Paving, Inc. for Resolution 6337-94 increasing the contract price by $1,782.00. Motion carried. Copy on file.

3. Sewer Reimbursement to Steven W. Swank, 10801 Pine Mills Road in the amount of $1,932.00 collected from Kensington Builders, Inc. Property to be served is Lot 92, Northway Gardens Addition, 2415 Northway Drive under Sewer Agreement 87-S-29;
   Jim Owen moved approval of Sewer Reimbursement to Steven W. Swank in the amount of $1,932.00 collected from Kensington Builders, Inc. Motion carried. Sewer Reimbursement forwarded to New Water/Sewer Permits for their handling. Copy on file.

4. Board Certification of Resolution 6317-94, Parnell Avenue - Romy to State, certifying the work performed on this project has been completed in compliance with the terms of the contract;
   Jim Owen moved approval of Certification of Project for Resolution 6317-94. Motion carried. Letter of Certification to be sent to Dehner Construction Inc.

5. Received the following petitions during the period of Wednesday, September 21, 1994 up to and including Tuesday, September 27, 1994:

   Petition for water main installation on South Anthony Blvd., the first three lots on the west side of the street, south of Fox Point Apartments entrance;

   Petition for ornamental street lighting at the intersections only for the Greenfield Village Extended Addition;
   Jim Owen moved that the Board accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective engineering departments for their investigation.

6. **RESOLUTION** requested by Chester E. and Beverly J. Bowman for vacation of right-of-way on Forest Avenue west of U. S. 30 and lying between Lots 31 and 32 in Delta Heights Addition. Routing has been finalized and staff approves;
   Jim Owen moved approval of Resolution requested by Chester E. & Beverly J. Bowman for vacation of right-of-way on Forest Avenue west of U. S. 30 and lying between Lots 31 & 32 in Delta Heights Addition. Motion carried. Copy on file.

7. EMERGENCY RESOLUTION for permanent repairs to existing clarification tank in Plant #1 at the Three Rivers Filtration Plant. Quotes received and Indiana Construction Corp. was the low bidder at a cost of $178,000.00;

   Tim Warren, Water Resources, stated that Water Engineering solicited quotes from Indiana Construction Corp., Dehner Construction, Martin Inc., and W. G. Brudney Construction. Indiana Construction Corp. and Dehner Construction submitted quotes in the amount of $178,000.00 and $194,975.00 respectfully.
   Jim Owen moved approval of Emergency Resolution for permanent repairs to existing clarification tank in Plant #1 at the Three Rivers Filtration Plant. Motion carried. Copy herein incorporated. Purchasing Department to issue a purchase order to Indiana Construction.

8. Sewer Contract 94-S-27 between Robert E. and Geneva Krill, Dorothy J. Tabor, Arthur A. and Mary A. Barge, Darrell L. and Susanne L. Gensel, Robert U. and Virginia M. Johnson, John S. Gutermuth and Donald R. and Georgiana Barge and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Ricky Lane Sanitary Extension (PRIVATELY FUNDED);
   Jim Owen moved approval of Sewer Contract 94-S-27 between Robert E. and Geneva Krill, Dorothy J. Tabor, Arthur A. and Mary A. Barge, Darrell L. and Susanne L. Gensel, Robert U. and Virginia M. Johnson, John S. Gutermuth and Donald R. and Georgiana Barge and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

9. Sanitary Sewer Easement from Meijer Realty Company at Getz and Illinois Road;
   Jim Owen moved approval of Sanitary Sewer Easement from Meijer Realty Company at Getz and Illinois Road. Motion carried Copy on file.

10. Received recommendation from WPC Engineering to accept Contract 94-S-4, La Cabreah Section I Sanitary Sewer and Contract 94-S-16, La Cabreah Section II Sanitary Sewer as an integral part of the City's sanitary sewer system;
    Jim Owen moved to accept Contract 94-S-4 and Contract 94-S-16 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to Kurtz Excavating.

11. Received recommendation from Water Engineering to accept Contract 9221, Meijer Offsite Water Main Extension as an integral part of the City's water main system;
    Jim Owen moved to accept Contract 9221 as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent to Exco Company.

12. Encroachment License Agreement between the City and Jay & Kris Fawver for a lawn irrigation system installed at 5220 Wyndemere Court. Various departments have approved;
    Jim Owen moved approval of Encroachment License Agreement between the City an Jay & Kris Fawver. Motion carried. Encroachment License Agreement forwarded to Recorder's Office for recordation.

13. Revolving Barrett Law claims approval in the amount of $4,757.88;
    Jim Owen moved approval of Revolving Barrett Law claims in the amount of $4,757.88. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for handling.

14. Claims approval in the amount of $5,589,149.82;
    Jim Owen moved approval of claims in the amount of $5,589,149.82. Motion carried. Claims forwarded to Civil City Accounting for handling.

15. Taxi Cab License Applicant Russell J. Clark;
    Jim Owen moved approval of Taxi Cab License Applicant Russell J. Clark. Motion carried. License to be issued.

16. Release of Easement from Wildwood Partnership;
Jim Owen moved approval of Release of Easement from Wildwood Partnership. Motion carried. Release of Easement forwarded to the Recorder's Office for handling. Copy on file in vault.

17. Approval of City Utilities Preliminary Draft of 1995 Budget;

Deb Farrell, Utility Administration, and Steve Martin, City Utilities Accounting, answered questions from the Board. **Jim Owen moved approval of City Utilities Preliminary of 1995 Budget. Motion carried. Two separate documents for the City Utilities 1995 Budget will be presented next week, one for the Board of Works and one for the Stormwater Management Board.**

17. Old Business:

Jim Owen inquired about the petition process. Ann Smith, Associate Director, Board of Public Works, explained the process for Civil City and Pat Callahan, Sanitary Engineering, explained the process implemented by the Utilities.

18. New Business:

None.

Meeting adjourned at 9:45 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

September 14, 1994

Storm Water Management Board
Third Floor Conference Room
Meeting held at 9:45 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Ann Smith & Carolyn Newport, BOW; Charles Bailey, Walter Jordan & Kerry Anzini, Contract Compliance; Rick Orr, Right-of-Way; Kathy Friend, Dept. of Finance; Deb Farrell & Terry Atherton, Utility Administration; R. David Boyer, Assoc. City Attorney.; Steve Martin, City Utilities Accounting; Roger Warner, Water Engineering; Tom Jones, Denny Root & Jeff Grogg, Street Engineering; Mike Hicks, Ray Wigfield & Pat Callahan, WPC Engineering; Mike Thornson, Storm Water Engineering; Sandy Maldeney, Property Manager; Melanie Hickman, Police Department and Mary Jane Slaton, Public Information Office.

1. Approval of minutes of August 31, 1994;
   Jim Owen moved approval of minutes of August 31, 1994. Motion carried. Minutes approval as printed and distributed.

2. Authorization For Final Payment in connection with Contract 489-1992, Ludwig Road/Sharon Drive Storm Sewer Improvement Phase I in the amount of $17,779.20. Escrow Agent is NBD Bank:
   Jim Owen moved to table Authorization For Final Payment in connection with Contract 489-1992 until next meeting. Motion carried. Authorization tabled until next meeting.

3. Old Business:

   None.

4. New Business:

   None

Meeting adjourned at 10:12 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST ______________________
Patricia J. Crick, Clerk

This is
duplicate
minutes!!

September 28, 1994

Stormwater Management Board
Third Floor Conference Room
Meeting held at 9:45 a.m.

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

1. AWARD: Resolution 523-1994, Queen/Manford/Logan Avenue Storm Sewer Improvement to Dehner Construction, Inc. A math error was found in their original bid. The correct bid price is $84,046.00 (CDBG);
   Jim Owen moved approval of Award for Resolution 523-1994 to Dehner Construction, Inc. Motion carried. Notice of Award to be sent. Stormwater Engineering to prepare contracts.

2. Approval of minutes of September 14, 1994;
   Jim Owen moved approval of minutes of September 14, 1994. Motion carried. Minutes approved as printed and distributed.

3. Received Authorization for Final Payment from All Star Construction & Excavating for Resolution 498-92, Ludwig Park Drainage Improvement - Phase I requesting Release of Escrow in the sum of $17,779.20. Escrow Agent is NBD Bank.
   Jim Owen moved approval of Authorization for Final Payment from All Star Construction & Excavating for Resolution 498-92 in the sum of $17,779.20. Motion carried. Authorization forwarded to Escrow Agent, NBD Bank for their handling. Copy on file.

4. Received recommendation from Stormwater Engineering to accept Wayne Street Relief Sewer, Board Order 28-94 for future maintenance.
   Jim Owen moved to accept Wayne Street Relief Sewer for future maintenance. Motion carried. Acceptance letter to be sent to Earth Construction.

5. Old Business:

   None.

6. New Business:

   None.

Meeting adjourned at 9:50 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 5, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; Deb Farrell, Utility Administration; Mary Jane Slaton, Public Information Office; Charles Bailey, Walter Jordan, Kerry Anzini, Contract Compliance; David Ross, City Engineer; Tom Jones, Street Engineering; Jim Riemke, Street Light Engineering; Mike Thornson, Stormwater Engineering; Pat Callahan, WPC Engineering; Tim Warren, Water Resources; Wayne O'Brien, City Plan; Rick Orr, Right-of-Way; Tom Manny, Traffic Engineer; R. David Boyer, Associate City Attorney; Linda Powell, Staff Attorney; Pat Sefton, Bernanan, Lochmueller & Associates.

1. RECEIVE BIDS - Miscellaneous Invitational Bids - Package #5 (CEDIT NEIGHBORHOOD)

Mergy Const	9,685.00
Eng. Est.	$8,674.00

Street Engineering to tabulate and report. Other companies invited to submit quotes were B-Char, Jones & Sons, Key Concrete, Newell Const., Pioneer Assoc. & Tomco Const.

2. RECEIVE BIDS - Resolution 237-94, Street Lighting and Unit Price Contract (Street Lighting)

	Relamping Unit 8 hr. day	Maintenance Unit Per Hr	Escalation Adjustment
Midwestern Electric	495.00	157.00	5%
The Gilbert Companies	No bid	No bid	No bid
The Robt. Henry Corp.	693.00	163.00	5%
T & F Const.	430.00	140.00	4%

Street Light Engineering to tabulate and report.

3. Approval of Public Hearing Minutes of September 21, 1994;
Jim Owen moved approval of Public Hearing Minutes of September 21, 1994. Motion carried. Minutes approved as printed and distributed.

4. Approval of Board Minutes of September 28, 1994;
Jim Owen moved approval of Board Minutes of September 28, 1994. Motion carried. Minutes approved as printed and distributed.

5. **IMPROVEMENT RESOLUTION 6353-94**, 1994 Miscellaneous Concrete Repair - Package #3 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6353-94, 1994 Miscellaneous Concrete Repair - Package #3. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 10/7 & 10/14/94 with date to receive bids 10/26/94.

6. **IMPROVEMENT RESOLUTION 6356-94**, Crestwood Colony Improvements - Phase I (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6356-94, Crestwood Colony Improvements - Phase I. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 10/7 & 10/14/94 with date to receive bids 10/26/94.

7. RESOLUTION requested by Advanced Cutting Systems, Inc. for vacation of the south six (6) inches of the 12 foot alley north of Lots #152, 153, and 154 in Vordermarks' Addition. Routing has been finalized and staff approved;

Jim Owen moved approval of Resolution requested by Advanced Cutting Systems, Inc. for vacation of the south six (6) inches of the 12 foot alley north of Lots #152, 153, and 154 in Vordermarks' Addition. Motion carried. Copy on file.

8. Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6345-94, Maplewood Road Pavement Restoration decreasing the contract price by $292.37. Original contract price was $56,907.40;
Jim Owen moved approval of Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6345-94 decreasing the contract price by $292.37. Motion carried. Copy on file.

9. Agreement between the City of Fort Wayne and Soil Exploration Services for removal and replacement of underground petroleum storage tanks;

   David Ross stated that because of the unknown nature of doing the exploration, Soil Exploration Services will charge us only for the services they actually provide for each site.
Jim Owen moved approval of Agreement between the City of Fort Wayne and Soil Exploration Services. Motion carried. Copy on file in vault.

10. Agreement between the City of Fort Wayne and Bernardin, Lochmueller and Associates for professional services to develop plans for improvements to Lower Huntington Road from Baer Road to Old Trail Road and from Bluffton Road to Baer Field Thruway. Fees will be funded by CEDIT BOND AND STORMWATER UTILITY. City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City of Fort Wayne and Bernardin, Lochmueller and Associates. Motion carried. Copy on file in vault.

11. Contract 6348-94 between the City of Fort Wayne and Newell Construction Co., Inc. for South Wayne Avenue - Home Avenue to Creighton Avenue in the amount of $99,672.50 (REVOLVING BARRETT LAW/CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6348-94 between the City of Fort Wayne and Newell Construction Co., Inc. in the amount of $99,672.50. Motion carried. Copy on file. Notice to proceed to be sent.

12. Contract 6351-94 between the City of Fort Wayne and Wayne Asphalt & Construction Co., Inc. for West State Blvd. resurfacing - Sherman Blvd. to Hensch Street in the amount of $64,516.26 (CEDIT BOND);
Jim Owen moved approval of Contract 6351-94 between the City of Fort Wayne and Wayne Asphalt & Construction Co., Inc. in the amount of $64,516.26. Motion carried. Copy on file. Notice to proceed to be sent.

13. Contract 6354-94 between the City of Fort Wayne and Newell Construction Co., Inc. for Boone Street/Center Street/Camp Allen Drive Improvements in the amount of $51,153.10 (CDBG);
Jim Owen moved approval of Contract 6354-94 between the City of Fort Wayne and Newell Construction Co. Inc. in the amount of $51,153.10. Motion carried. Copy on file. Notice to proceed to be sent.

14. Construction Contract between the City of Fort Wayne and Dehner Construction, Inc. for Resolution 1061-93, Paulding Road Water Main Extension in the amount of $47,821.20 (WATER UTILITY/REVOLVING BARRETT LAW);
Jim Owen moved approval of Construction Contract between the City of Fort Wayne and Dehner Construction Inc. for Resolution 1061-93 in the amount of $47,821.20. Motion carried. Notice to proceed to be sent.

15. Construction Contract between the City of Fort Wayne and Pyramid Excavating, Inc. for Resolution 1062-94, Seddlemeyer Avenue Water Main Extension in the amount of $30,435.30 (WATER UTILITY/REVOLVING BARRETT LAW);\
Jim Owen moved approval of Construction Contract between the City of Fort Wayne and Pyramid Excavating, Inc. for Resolution 1062-94 in the amount of $30,435.30. Motion carried. Copy on file. Notice to proceed to be sent.

16. Received recommendation from Water Engineering to accept Contract 9408, Pleasant Center School water main project as an integral part of the City's water main system;
Jim Owen moved to accept Contract 9408 as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent to Industrial Piping & Engineering Corporation.

17. Received recommendation from WPC Engineering to accept Contract 93-S-40, 5909 Illinois Road Sanitary Sewer - Meijer Store #125 project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 93-S-40 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to Exco Company.

18. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $37,536.62. The write-offs are for March and April, 1994;
Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $37,536.62. Motion carried. City Utilities delinquent accounts forwarded to General Accounting for their handling.

19. Affirm Change Order 1 for Resolution 6337-94, Washington Center Road Intersection Improvements Phase I increasing the contract price by $1,782.00. The original contract price was $288,878.05 and not the amount that was incorrectly reported last week;

    Linda Buskirk stated that the amount of the change order remains the same.
    Jim Owen moved to affirm Change Order 1 for Resolution 6337-94 increasing the contract price by $1,782.00. Motion carried. Change Order affirmed.

20. Revolving Barrett Law claims approval in the amount of $23,607.13.
Jim Owen moved to approve Revolving Barrett Law claims in the amount of $23,607.13. Motion carried. Claims forwarded to Barrett Law Office for their handling.

21. Claims approval in the amount of $3,386,748.50.
Jim Owen moved approval of claims $3,386,748.50. Motion carried. Claims forwarded to General Accounting for their handling.

22. Final approval of 1995 City Utilities Budget;
Jim Owen moved to table final approval of 1995 City Utilities Budget. Motion carried. Approval of 1995 City Utilities Budget tabled.

23. Old Business:

    None.

24. New Business:

    None.

    Linda Buskirk moved to adjourn meeting. Motion carried. Meeting adjourned at 9:33 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 5, 1994

Stormwater Management Board
Third Floor Conference Room
Meeting held at 9:34 a.m.

Linda Buskirk, Director
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; Deb Farrell, Utility Administration; Mary Jane Slaton, Public Information Office; Charles Bailey, Walter Jordan, Kerry Anzini, Contract Compliance; David Ross, City Engineer; Tom Jones, Street Engineering; Jim Riemke, Street Light Engineering; Mike Thornson, Stormwater Engineering; Pat Callahan, WPC Engineering; Tim Warren, Water Resources; Wayne O'Brien, City Plan; Rick Orr, Right-of-Way; Tom Manny, Traffic Engineer; R. David Boyer, Associate City Attorney Linda Powell, Staff Attorney; Pat Sefton, Bernanan, Lochmueller & Associates.

1. Approval of Board Minutes of September 14, 1994;
Jim Owen moved approval of Board Minutes of September 14, 1994. Motion carried. Minutes approved as printed and distributed.

2. Received recommendation from WPC Engineering to accept Resolution 500-1993, Avalon Addition Drainage Improvement - Phase I as an integral part of the City's storm sewer system;
Jim Owen moved to accept Resolution 500-1993 as an integral part of the City's storm sewer system. Motion carried. Acceptance letter to be sent to Crosby Excavating.

3. Final approval of 1995 Stormwater Budget;
Jim Owen moved to table final approval of 1995 Stormwater Budget. Motion carried. Final approval of 1995 Stormwater Budget tabled.

4. Old Business:

None.

5. New Business:

None.

Jim Owen moved to adjourn Stormwater Management Board Meeting. Motion carried. Meeting adjourned at 9:40 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 5, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, BOW: Betsy Meyer, Barrett Law; Ray Wigfield and Pat Callahan, WPC Engineering,

1. Final Hearing - Notice of Assessment - Improvement Resolution 923-1993, Woodway Drive Sanitary Sewer Extension.

   There were several complaints from property owners regarding restoration. Pat Callahan advised that these restorations would be covered under the one year maintenance bond. **Jim Owen moved to Confirm Assessment Roll for Improvement Resolution 923-1993. Motion carried. Assessment Roll fowarded to the Department of Finance.**

   Jim Owen moved to adjourn the hearing. Motion carried. Hearing adjourned at 11:10 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 12, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Jim Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; David Ross, City Engineer; Terry Atherton, Utility Administration; Walter Jordan, Charles Bailey & Kerry Anzini, Contract Compliance; Mary Jane Slaton, Public Information Office; Steve Martin, City Utilities Accounting; Rick Orr, Right-of-Way Dept.; Jim Riemke, Street Light Engineering; Tim Warren, Water Resources; Pat Callahan & Tom Pallone, WPC Engineering; Mike Thornson, Stormwater Engineering; Shirley Evans, Outsource, Inc.

1. **RECEIVE BIDS** - Resolution 6355-94, Crown Colony Improvements - Phase I (CEDIT NEIGHBORHOOD)

Brooks Const.	52,256.00
Dehner Const.	52,698.50
S. E. Johnson	57,923.50
Mergy Const	39,691.50
Moellering Const.	50,087.00
Eng. Est.	$43,459.50

Street Engineering to tabulate and report.

2. AWARD: Miscellaneous Invitational Bid - Package #5 to Mergy Construction Company in the amount of $9,685.00 (CEDIT NEIGHBORHOOD/PROPERTY OWNERS);
Jim Owen moved approval of Award for Miscellaneous Invitational Bid - Package #5 to Mergy Construction Company in the amount of $9,685.00. Motion carried. Notice of Award to be sent to Mergy Construction Company.

3. Approval of Board Minutes of October 5, 1994;
Jim Owen moved approval of Board Minutes of October 5, 1994. Motion carried. Minutes approved as printed and distributed.

4. Approval of Public Hearing Minutes for Improvement Resolution 923-1993, Woodway Drive Sanitary Sewer Extension held on October 5, 1994;
Jim Owen moved approval of Public Hearing Minutes for Improvement Resolution 923-1993 held on October 5, 1993. Motion carried. Public Hearing Minutes approved as printed and distributed.

5. Change Order #2 and Final received from Scheidleman Excavating for Resolution 925-1993, Haffner Drive decreasing the contract price by $8,608.39. Original contract price was $154,344.04;
Jim Owen moved approval of Change Order #2 and Final received from Scheidleman Excavating for Resolution 925-1993 decreasing the contract price by $8,608.39. Motion carried. Copy on file.

6. Change Order #1 received from Mergy Construction Co., Inc. for Resolution 6340-94, Spy Run/Clinton Street Curbface Walk decreasing the contract price by $5,884.21. Original contract price was $44,605.84;
Jim Owen moved approval of Change Order #1 received from Mergy Construction Co., Inc. for Resolution 6340-94. Motion carried. Copy on file.

7. **RESOLUTION 528-94** for Hacienda Village Sanitary Sewer Phase II Section II (PROPERTY OWNER/SEWER UTILITY FUND);
Jim Owen moved approval of Resolution 528-94. Motion carried. Copy herein incorporated.

8. **RESOLUTION 1063-94,** Water Main Extension for North Schomburg Drive/Clear Street (REVOLVING BARRETT LAW/1995 CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Resolution 1063-94. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners October 14, 1994 with hearing to be held November 2, 1994.

9. **STREET LIGHT RESOLUTION 238-94,** Westwood North Street Light Improvement (REVOLVING BARRETT LAW/1994 CEDIT);
Jim Owen moved approval of Street Light Resolution 238-94. Motion carried. Copy herein incorporated.

10. Received request from United Media Group for a bus hut to be placed on Getz Road, south of Illinois Road. Traffic Engineering has approved as submitted; **Jim Owen moved approval of request from United Media Group for a bus hut to be placed on Getz Road, south of Illinois Road. Motion carried. Bus hut to be placed on Getz Road.**

11. Sewer Contract 94-S-29 between the Fort Wayne Water Pollution Control Utility and Schenkel/Schultz, Inc. to construct a local sanitary sewer system to serve Chapel Creek Section I Sanitary Extension (PRIVATELY FUNDED); **Jim Owen moved approval of Sewer Contract 94-S-29 between the Fort Wayne Water Pollution Control Utility and Schenkel/Schultz. Motion carried. Copy on file.**

12. Sewer Contract 94-S-34 between the Fort Wayne Water Pollution Control Utility and Beckett's Run Developer's L.P. to construct a local sanitary sewer system to serve Becketts Run Section II Sanitary (PRIVATELY FUNDED); **Jim Owen moved approval of Sewer Contract 94-S-34 between the Fort Wayne Water Pollution Control Utility and Beckett's Run Developer's L.P. Motion carried. Copy on file.**

13. Sewer Contract 94-S-35 between the Fort Wayne Water Pollution Control Utility and Brotherhood Mutual Insurance Company to construct a local sanitary sewer system to serve Brotherhood Mutual Insurance Sanitary Reroute (PRIVATELY FUNDED); **Jim Owen moved approval of Sewer Contract 94-S-35 between the Fort Wayne Water Pollution Control Utility and Brotherhood Mutual Insurance Company. Motion carried. Copy on file.**

14. Sewer Contract 94-S-38 between the Fort Wayne Water Pollution Control Utility and Colonial Development Corporation to construct a local sanitary sewer system to serve The Oaks Section IV Sanitary Extension (PRIVATELY FUNDED); **Jim Owen moved approval of Sewer Contract 94-S-38 between the Fort Wayne Water Pollution Control Utility and Colonial Development Corporation. Motion carried. Copy on file.**

15. Contract 6352-94 between the City and Key Concrete Co., Inc. for Creighton-Home Neighborhood Improvements - 1994 in the amount of $117,189.50. This is partial replacement of sidewalks, yardwalks, curbs, driveway approaches, curb ramps and rehabilitation of storm sewer structures; **Jim Owen moved approval of Contract 6352-94 between the City and Key Concrete Co., Inc. in the amount of $117,189.55. Motion carried. Contract approved subject to Councilmanic approval.**

16. Received recommendation from WPC Engineering to accept the following projects as an integral part of the City's sanitary sewer system:

    Contract 94-S-5, Cedar Glens Section I Sanitary Sewer
    Contract 94-S-18, Chandler's Landing Section IV Sanitary Sewer
    Contract 94-S-20, Northbrook Subdivision Phase II Sanitary Sewer
    Contract 94-S-28, River Bend Bluffs Section V Sanitary Sewer
    Jim Owen moved to accept the above projects as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent to respective contractors.

17. Received recommendation from Water Engineering to accept the following projects as an integral part of the City's water main system:

    Contract 9318, Cross Creek - Kelsey Court Water Main system
    Contract 9405, Chandler's Landing Section IV Water Main system
    Contract 9407, Centennial Industrial Park Section IX, Phase II Water Main system
    Jim Owen moved to accept the above projects as an integral part of the City's water main system. Motion carried. Acceptance letters to be sent to respective contractors.

18. Received recommendation from Street Engineering to accept Ciera Court located in Centennial Industrial Park Section IX, Phase II for future maintenance: **Jim Owen moved to accept Ciera Court located in Centennial Industrial Park Section IX for future maintenance. Motion carried. Acceptance letter to be sent to Dehner Construction, Inc.**

19. Approval of Maintenance Bond received from Dehner Construction, Inc. for Ciera Court located in Centennial Industrial Park Section IX, Phase II. This guarantees the maintenance and repair of street for a period of three (3) years; **Jim Owen moved approval of Maintenance Bond received from Dehner Construction, Inc. for Ciera Court. Motion carried. Copy on file.**

20. Encroachment License Agreement between the City and Tamarack Civic Association for a Tamarack Addition entrance sign on the southwest corner of Reed Road and Tamarack Drive intersection. Also, they have requested the fees to be waived since this is for the Bicentennial Neighborhood Lasting Legacy project. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and Tamarack Civic Association for an entrance sign and to waive the fees for the Encroachment License Agreement. Motion carried. Encroachment License Agreement to be forwarded to the Recorder's Office for recordation.

21. Received the following petition during the period of Wednesday, October 5, 1994 up to and including Tuesday, October 11, 1994:

Petition for water main installation from Ludwig Road, north of Goings Road to 6703 Goings Road;
Jim Owen moved to accept the above petitions as a formal part of the record. Motion carried. Petition forwarded to Water Engineering for their investigation.

22. Claims approval in the amount of $16,971,649.71.
Jim Owen moved approval of claims in the amount of $16,971,649.71. Motion carried. Claims forwarded to General Accounting for their handling.

23. Final approval of 1995 City Utilities Budget;
Jim Owen moved approval of the 1995 City Utilities Budget. Motion carried. Copy on file.

24. Decision regarding E.B.E. Certification of Outsource, Inc.

Linda Buskirk stated that R. David Boyer, Associate City Attorney, prepared a Statement of Facts and Findings regarding the E.B.E. Certification of Outsource, Inc. after the Board of Public Works covened in a hearing to hear testimony. The Conclusion states that based on the foregoing findings of fact, the Board has found that the applicant has failed to credibly demonstrate the existence of a viable business enterprise and that the refusal by the Department of Contract Compliance to certify applicant as an EBE contract should be, and the same is, hereby sustained.
Jim Owen moved that the Board sustain the Department of Contract Compliance's refusal to renew the Certification of Outsource, Inc. as an E.B.E. Contractor. Motion carried. A copy of the Statement of Facts and Findings to be sent to Outsource, Inc. and Contract Compliance.

25. Old Business:

Jim Owen inquired about the status of the Comprehensive Plan.

Pat Callahan, WPC Engineering, stated his department has received the draft Master Plan on all but the implementation chapters on waste water. WPC Engineering is proof reading the draft and will set a meeting within two weeks with the Consultant and discuss the implementation chapters.

Mike Thornson, Storm Water Engineering, stated there are two parts to the Storm Water Master Plan. The first part is the development of the structure for the overall master planning to identify and prioritize different water shed units. The other part is actually to apply that structure to one of our water shed units, the Spy Run Shed, which is one of the largest and has the most problems. The model will help us identify problem areas and potential projects. Storm Water Engineering is reviewing the draft of the plan.

Linda Buskirk and Jim Owen stated they would like to have a policy determining the responsibilities of the Storm Water Utility.

An update will be given by WPC Engineering and Storm Water Engineering to the Board on the Master Plan after their meeting with the Consultant.

26. New Business: None

Meeting adjourned at 9:40 a.m.

Linda Buskirk

Linda Buskirk, Director

James Owen

C. James Owen, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

October 12, 1994

Storm Water Management Board
Third Floor Conference Room
Meeting held at 9:45 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Jim Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; David Ross, City Engineer; Terry Atherton, Utility Administration; Walter Jordan, Charles Bailey & Kerry Anzini, Contract Compliance; Mary Jane Slaton, Public Information Office; Steve Martin, City Utilities Accounting; Rick Orr, Right-of-Way Dept.; Jim Riemke, Street Light Engineering; Tim Warren, Water Resources; Pat Callahan & Tom Pallone, WPC Engineering; Mike Thornson, Stormwater Engineering; Shirley Evans, Outsource, Inc.

1. Approval of Board Minutes of September 28, 1994;
   Jim Owen moved approval of Board Minutes of September 28, 1994. Motion carried. Minutes approved as printed and distributed.

2. Approval of Board Minutes of October 5, 1994;
   Jim Owen moved approval of Board Minutes of October 5, 1994. Motion carried. Minutes approved as printed and distributed.

3. Final Approval of 1995 Stormwater Budget;
   Jim Owen moved approval of 1995 Stormwater Budget. Motion carried. Minutes approved as printed and distributed.

4. Old Business:

   Jim Owen asked for comments regarding incorporating policy regarding Storm Water Utility responsibilities into the Master Plan.

   Mike Thornson, Storm Water Engineering, stated he would approach the consultants on the Master Plan regarding ideas they might have for such policy.

   The difference between the Master Plan and the Comprehensive Plan was discussed.

5. New Business.

   None.

Meeting adjourned at 9:55 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 19, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Jim Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; David Ross, City Engineer; Charles Bailey, Walter Jordan & Kerry Anzini, Contract Compliance; Dave Hayhurst, Communications; Sandy Maldeney, Property Manager; Mike Thornson, Storm Water Engineering; Marion Robinson, WPC Engineering; Mary Jane Slaton, Public Information Office; Tim Warren, Water Resources; Terry Atherton, Utility Administration; Rick Orr, Right-of-Way Department; Jim Riemke, Street Light Engineering; Steve Martin, City Utilities Accounting; Tom Manny, Traffic Engineering.

1. **RECEIVE BIDS** - Water Contract 94-W-02, City of Fort Wayne, Indiana Water Works Improvements

Bercot, Inc.	75,313.00
Dehner Const.	68,500.00
T-G Inc.	59,037.00
Eng. Est.	$72,000.00

Water Engineering to tabulate and report.

2. AWARD: Improvement Resolution 6355-94, Crown Colony Improvements - Phase I to Mergy Construction Co., Inc. in the amount of $39,691.50 (CEDIT NEIGHBORHOOD);
Jim Owen moved to award Improvement Resolution 6355-94 to Mergy Construction Co., Inc. is the amount of $39,691.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. AWARD: Resolution 237-94, Street Lighting Maintenance and Unit Price Contract to T & F Construction Company, Inc. (STREET LIGHTING);
Jim Owen moved to award Resolution 237-94 to T & F Construction Company, Inc. Motion carried. Notice of Award to be sent. Street Light Engineering to prepare contracts.

4. AWARD: Repairs and/or Replacement of Fire Alarm System at the Police Operations Center to Orr Protection Systems in the amount of $53,126.00. (POLICE BUDGET);

   Dave Hayhurst, Communications, stated that Fire Alarm Systems Inc. submitted the low bid, however, the Property Management Department recommends contract be awarded to Orr Protection Systems for the following reasons:

   a. Electrical costs were not included in bid.

   b. Radio Alarm Box, which was included as part of the specifications, was not included in bid.

   c. Costs of Permits was not included in bd.

   d. Did not include elevator recall, only contacts for the elevator recall.

   e. Remote enunciator was not included in bid.

   f. Turn-Key System was not guaranteed.

   Orr Protection Systems guaranteed a turn-key system and for this reason the Property Management Department recommended the bid be awarded to Orr.
   Jim Owen moved to award Repair and/or Replacement of Fire Alarm System at the Police Operations Center to Orr Protection Systems in the amount of $53,126.00. Motion carried.

5. Approval of Board Minutes of October 12, 1994;
Jim Owen moved approval of Board Minutes of October 12, 1994. Motion carried. Minutes approved as printed and distributed.

6. IMPROVEMENT RESOLUTION 6357-94, Woodhurst Neighborhood Miscellaneous Concrete Repair, 5100 block of Old Mill Road by the reconstruction of existing pavement with new concrete pavement as needed and also reconstructing several corner wingwalks in the Woodhurst Neighborhood (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6357-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 10/21 and 10/28/94 with date to receive bids on November 11, 1994.

7. IMPROVEMENT RESOLUTION 6358-94, Tower Heights Addition Concrete Repairs, Chochtimar Trail - Lindenwood Avenue to Trenton Court - partial concrete pavement restoration and 2809 and 2810 Coventry Avenue - partial curb reconstruction (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6358-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 10/21 and 10/28/94 with date to receive bids on November 11, 1994.

8. Received recommendation from Street Light Engineering to accept street lights in Centennial Industrial Park Section IX;
Jim Owen moved to accept street lights in Centennial Industrial Park Section IX. Motion carried. Acceptance letter to be sent to Centennial Development Corporation.

9. Agreement between the City of Fort Wayne and Bonar & Associates, Inc. for professional services to develop improvements for Rudisill Blvd. from Smith Street to Anthony Boulevard. Proposed improvements include: surface milling, pavement wedging and leveling, pavement resurfacing, radii changes, alley approach reconstruction, curb ramps, spot curb and sidewalk reconstruction. Project will be funded through CEDIT BOND. City Engineering recommends approval.

   David Ross, City Engineer, stated that the cost of this agreement is $11,200 and is only 6% of the total cost of the project.
   Jim Owen moved approval of Agreement between the City of Fort Wayne and Bonar & Associates, Inc. for professional services to develop improvements for Rudisill Blvd. from Smith Street to Anthony Boulevard. Motion carried. Copy on file in vault.

10. Construction Contract 94-W-01 between Indiana Construction Corp. and the City of Fort Wayne for the demolition of an existing steel baffle wall assembly, and concrete and steel grating walkway, and reconstruction of same in the east and west primary clarifiers of Plant No. 1 at the Three Rivers Filtration Plant in the amount of $178,000.00 (WATER UTILITY);
Jim Owen moved approval of Construction Contract 94-W-01 between Indiana Construction Corp. and the City of Fort Wayne in the amount of $178,000.00. Motion carried. Copy on file. Notice to proceed to be sent.

11. Received Escrow Agreement from Indiana Construction Corp. in connection with Contract 94-W-01, Repairs to Existing Clarification Tanks in Plant No. 1 at the Three Rivers Filtration Plant. Escrow agent is Fort Wayne National Bank;
Jim Owen moved approval of Escrow Agreement from Indiana Construction Corp. in connection with Contract 94-W-01. Motion carried. Escrow Agreement forwarded to Fort Wayne National Bank. Copy on file.

12. Water Contract 9410 between Colonial Development Corp. and the Fort Wayne Water Utility to construct water main systems to serve Cherry Hill (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9410 between Colonial Development Corp. and the Fort Wayne Water Utility. Motion carried. Copy on file.

13. Water Contract 9411 between Beckett's Run Developer L.P. and the Fort Wayne Water Utility to construct water main systems to serve Beckett's Run Section II (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9411 between Beckett's Run Developer L.P. and the Fort Wayne Water Utility. Motion carried. Copy on file.

14. Sewer Contract 91-S-21 between Steve L. and Loretta J. Stroup and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve 7800 South Gathings Drive (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 91-S-21 between Steve L. and Loretta J. Stroup and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

15. Sewer Contract 94-S-39 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve La Cabreah Section III Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-39 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control. Motion carried. Copy on file.

16. Received recommendation from WPC Engineering to accept the following projects as an integral part of the City's sanitary sewer system:

Contract 88-S-41, Wildwood Plaza Sanitary Sewer
Contract 94-S-27, Ricky Lane Sanitary Sewer Extension
Jim Owen moved to accept Contract 88-S-41 and Contract 94-S-27 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent to respective contractors.

17. Received the following petitions during the period of Wednesday, October 12, 1994 and up to and including Tuesday, October 18, 1994:

Petition for replacement of sidewalks and curbs at 4300 block of S. Anthony around the Anthony Wayne Village Shopping Center;

Petition for curb replacement at 8609 Stand Ridge Run;

Petition for street reconstruction/repaving on Harrison Street between Rudisill and Lexington;

Petition for standard street lighting on existing pole on south side of Trinity Blvd., first pole east of Cambridge Blvd. toward dead end of Trinity;

Petition for standard street lighting on existing pole on the north side of Trinity Blvd., approximately 1716 Trinity Blvd., - mid street between Cambridge Blvd. and Stanford Avenue;
Jim Owen moved to accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective departments for their investigation.

18. Revolving Barrett Law Claims in the amount of $8,251.56;
Jim Owen moved approval of Revolving Barrett Law Claims in the amount of $8,251.56. Motion carried. Revolving Barrett Law Claims forwarded to Barrett Law Office for their handling.

19. Claims approval in the amount of $21,644,256.83;
Jim Owen moved approval of claims in the amount of $21,644,256.83. Motion carried. Claims forwarded to General Accounting for their handling.

20. Taxi Cab License Renewal Ronald Gene Lambert;
Jim Owen moved approval of Taxi Cab License Renewal for Ronald Gene Lambert. Motion carried. License to be renewed.

21. Old Business:

None.

22. New Business:

None.

Meeting adjourned at 9:19 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 19, 1994

Stormwater Management Board
Third Floor Conference Room
Meeting held at 9:20 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Jim Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Mike Thornson, Stormwater Engineering; Mary Jane Slaton, Public Information Office; Tim Warren, Water Resources; Terry Atherton, Utility Administration; Steve Martin, City Utilities Accounting.

1. Approval of Board Minutes of October 12, 1994;
   Jim Owen moved approval of Board Minutes of October 12, 1994. Motion carried. Minutes approved as printed and distributed.

2. Stormwater Contract 523-94 between Dehner Construction, Inc. and the City of Fort Wayne for Queen/Manford/Logan Storm Drainage Improvement in the amount of $86,946.00 (CDBG);
   Jim Owen moved approval of Stormwater Contract 523-94 between Dehner Construction, Inc. and the City of Fort Wayne in the amount of $86,946.00. Motion carried. Notice to Proceed to be sent.

3. Agreement between David M. Griffith & Associates, Ltd. and the City of Fort Wayne in the amount of $98,000 and $18,000 for expenses for consulting services related to the implementation of the stormwater utility revised rate structure and to the production billing of the impervious surface revised rate structure (STORMWATER UTILITY);
   Jim Owen moved approval of Agreement between David M. Griffith & Associates, Ltd. and the City of Fort Wayne in the amount of $98,000 and $18,000 for expenses. Motion carried. Copy on file.

4. Agreement Addendum between Woolpert Consultants and the City of Fort Wayne Water Pollution Control Utility in the amount of $10,000 for cost of service analysis and rate study Phase 4 billing system development (STORMWATER UTILITY);
   Jim Owen moved approval of Agreement Addendum between Woolpert Consultants and the City of Fort Wayne Water Pollution Control Utility in the amount of $10,000. Motion carried. Copy on file.

5. Old Business:

   None.

6. New Business:

   None.

Meeting adjourned at 9:28 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 26, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Jim Owen, Patricia Crick, Ann Smith, Carolyn Newport, Board of Public Works; David Ross, City Engineer; Walter Jordan & Charles Bailey, Contract Compliance; R. David Boyer, Associate City Attorney; Mary Jane Slaton, Public Information Office; Tom Jones & Kevin Okleshen, Street Engineering; Terry Atherton, Utility Administration; Sandy Maldeney, Property Manager; Rick Orr, Right-of-Way; Wendy McConnell & Sally Clem, City Utilities; Steve Martin, City Utilities Accounting; Jim Riemke, Street Light Engineering; Tom Manny, Traffic Engineering; Tim Warren, Water Resources; Pat Callahan, Mike Hicks, Tom Pallone, WPC Engineering; Mike Thornson & Darren Good, Storm Water Engineering; Lynnette Jehl, Martin-Riley-Mock Architects/Consultants; Jon Clark; Scott Bakery Inc.; Terrance P. McCaffrey, future Board of Public Works Member and Stormwater Management Board Member.

Linda Buskirk introduced Terrance P. McCaffrey as a future Board of Public Works Member and Stormwater Management Board Member.

1. **RECEIVE BIDS** - Resolution 6353-94, Miscellaneous Concrete Repair - Pkg. #3 (CEDIT NEIGHBORHOOD)

Brooks Const.	24,112.00
S. E. Johnson Cos.	26,364.40
Mergy Const.	12,691.50
Eng. Est.	$10,108.50

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6356-94, Crestwood Colony Improvements - Phase I (CEDIT NEIGHBORHOOD)

Brooks Const.	92,225.00
Dehner Const.	82,795.00
S. E. Johnson Cos.	80,917.50
Mergy Const., Inc.	77,802.50
Moellering Const.	87,329.00
Eng. Est.	$78,188.00

Street Engineering to tabulate and report.

Jim Owen moved to recess Board of Public Works Meeting. Motion carried. Meeting recessed at 9:09 a.m.

Meeting reconvened at 9:13 a.m.

3. Approval of Board Minutes of October 19, 1994;
Jim Owen moved approval of Board Minutes of October 19, 1994. Motion carried. Board Minutes approved as printed and distributed.

4. Agreement between the City of Fort Wayne and A. J. Dodzik for professional engineering services in connection with improvements to Leesburg Road: Bass Road to Hillegas Road project. Proposed improvements include: pavement widening, auxiliary lanes at intersection, pavement resurfacing, roadway shoulders, water main extension, storm drainage rehabilitation, pavement marking and restoration. Project will be funded through CEDIT BOND. City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City and A. J. Dodzik for professional engineering services in connection with improvements to Leesburg Road: Bass Road to Hillegas Road project. Motion carried. Copy on file in vault.

5. Agreement between the City of Fort Wayne and Maurer - McGillen Engineers, Inc. to provide professional services for the development of improvements to Freeman Street from Taylor Street to Jefferson Boulevard. Proposed improvements include: pavement widening, pavement resurfacing, roadway shoulders, curbs (as determined), storm drainage rehabilitation, pavement markings and restoration. Project will be funded through CEDIT BOND. City Engineering recommends approval;

Jim Owen moved approval of Agreement between the City of Fort Wayne and Maurer - McGillen Engineers, Inc. to provide professional services for the development of improvements to Freeman Street from Taylor Street to Jefferson Boulevard. Motion carried. Copy on file in vault.

6. Sewer Contract 94-S-23 between Larry M. Jenkins and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Auburn Road Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-23 between Larry M. Jenkins and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

7. Sewer Contract 94-S-32 between Futuro, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Falls of Kiefer Creek Section I Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-32 between Futuro, Inc. and the Fort Wayne Water Pollution Utility. Motion carried. Copy on file.

8. Sewer Contract 94-S-33 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Rapids of Kiefer Creek Section I Sanitary (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-33 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

9. Received recommendation from WPC Engineering to accept Contract 94-S-22, Southbridge Apartments Sanitary Sewer Phase IV and Resolution 514-93, Lake Forest Sanitary Sewer Rehabilitation as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 94-S-22 and Resolution 514-93 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent to respective contractors.

10. **EMERGENCY RESOLUTION** to repair existing 21" sanitary sewer east of the Outback Steakhouse and north of Community Drive which has partially collapsed and is restricting the normal flow of sewage at a cost that could exceed $100,000.00;

    Pat Callahan, WPC Engineering, stated that during the plans for the Outback Steakhouse there was a breakdown in communications. The City did not want Outback to fill over the sewer without re-enforcing it and they proceeded. There is a manhole in quicksand which has settled and the 21" pipe only has 6" clearance that has caused an emergency. This sewer serves an area from Coliseum to Washington Center Road between Clinton and Coldwater. If the City releases the bond it is holding, Outback is willing to give the City a check for $25,000 towards the repair of this sewer. The City will be removing a large portion of the Outback Parking Lot that they have replace at their own expense.

    Dehner Construction, Inc., Crosby Excavating, Inc., T & G Inc. and Liberty Construction, Inc., were invited to submit quotes on the repair. T & G, Inc. submitted the lowest bid at $133,529.00.
    Jim Owen moved approval of Emergency Resolution to repair existing 21" sanitary sewer east of the Outback Steakhouse and north of Community Drive. Motion carried. Copy herein incorporated. Purchasing to issue a purchase order to T & G, Inc. in the amount of $133,529.00.

11. **RESOLUTION** authorizing a quarterly budget adjustment appropriating additional monies into depleted Sewer Account 4423 in the amount of $220,000.00;

    Lynnette Yale, Martin-Riley-Mock Architects/Consultants, stated this appropriation would be used for renovating the City Utilities portion of the City County Building to make it more user-friendly. She explained the changes to be made in the proposed renovation.
    Jim Owen moved approval of Resolution authorizing a quarterly budget adjustment appropriating additional monies into depleted Sewer Account 4423 in the amount of $220,000.00. Motion carried. Copy herein incorporated.

12. Received the following petition during the period of Wednesday, October 19, 1994 up to and including Tuesday, October 25, 1994:

    Petition for Standard Street Lighting improvements on Moore Drive, first drive east of Hillegas Road.

Jim Owen moved to accept the above petition as a formal part of the record. Motion carried. Petition forwarded to Street Light Engineering for their investigation.

13. Banner Installation and Maintenance Agreement for E. State Merchants and Professional Association to utilize City street light poles for banners; **Jim Owen moved approval of Banner Installation and Maintenance Agreement for E. State Merchants and Professional Association. Motion carried. Banners are to be installed after November 10 and must be removed by January 31, 1995.**

14. Claims approval in the amount of $2,964,920.35;
Jim Owen moved approval of claims in the amount of $2,964,920.35. Motion carried. Claims forwarded to General Accounting for their handling.

15. Taxi Cab License Applicant Douglas R. Bostel;
Jim Owen concurred with recommendation of Police Chief Neil Moore to deny Taxi License Applicant Douglas R. Bostel. Motion carried. Letter of Intent to Deny to be sent.

16. Old Business:

Pat Callahan, WPC Engineering, stated that a presentation on the Master Plan will be given next week.

17. New Business:

Jim Owen welcomed Terrance P. McCaffrey as a future Board of Public Works Member and Stormwater Mangement Board Member.

Meeting adjourned at 9:50 a.m.

Linda Buskirk
Linda Buskirk, Director

Jim Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

October 26, 1994

Stormwater Management Board
Office of the Board

Linda Buskirk, Chairman
C. James Owen, Member

ATTEST: Patricia J. Crick

PRESENT: Linda Buskirk, Jim Owen, Patricia Crick, Ann Smith, Carolyn Newport, Board of Public Works; David Ross, City Engineer; Walter Jordan & Charles Bailey, Contract Compliance; R. David Boyer, Associate City Attorney; Mary Jane Slaton, Public Information Office; Tom Jones & Kevin Okleshen, Street Engineering; Terry Atherton, Utility Administration; Sandy Maldeney, Property Manager; Rick Orr, Right-of-Way; Wendy McConnell & Sally Clem, City Utilities; Steve Martin, City Utilities Accounting; Jim Riemke, Street Light Engineering; Tom Manny, Traffic Engineering; Tim Warren, Water Resources; Pat Callahan, Mike Hicks, Tom Pallone, WPC Engineering; Mike Thornson & Darren Good, Storm Water Engineering; Lynnette Jehl, Martin-Riley-Mock Architects/Consultants; Jon Clark; Scott Bakery Inc.; Terrance P. McCaffrey, future Board of Public Works Member and Stormwater Management Board Member.

1. RECEIVE BIDS - Resolution 519-94, Pontiac Street - Wayne Trace Underpass Area Drainage Improvement (STORMWATER UTILITY)

Bercot, Inc.	71,465.20
Dehner Const.	73,129.50
T-G Inc.	129,004.00
Wayne Asphalt	62,719.50
Eng. Est.	69,719.50

Stormwater Engineering to tabulate and report.

Jim Owen moved to recess Stormwater Management Board Meeting. Motion carried. Motion carried. Meeting recessed at 9:13 a.m.

Meeting reconvened at 9:50 a.m.

2. Approval of Board Minutes of October 19, 1994;
Jim Owen moved approval of Board Minutes of October 19, 1994. Motion carried. Minutes approved and printed and distributed.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 9:52 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 2, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk and Ann Smith, Board of Public Works, Terry Atherton, Utility Administration; Rick Orr, Right-of-Way; David Ross, City Engineer; Pat Callahan & Tom Pallone, WPC Engineering; Mary Jane Slaten, Public Information Office; Charles Bailey & Walter Jordan, Contract Compliance; Tom Jones, Street Engineering; Sandy Maldeney, Property Manager; Tom Manny, Traffic Engineering; Al Frisinger & Darren Good, Stormwater Engineering; Chet Shastri, Filtration Plant.

1. AWARD: Contract 94-W-02, Water Works Improvements to T-G Incorporated in the amount of $58,037.00 (WATER UTILITY);
Jim Owen moved approval of Award for Contract 94-W-02 to T-G Incorporated in the amount of $58,037.00. Motion carried. Notice of Award to be sent. Water Engineering to prepare contracts.

2. AWARD: Resolution 6353-94, 1994 Miscellaneous Concrete Repair - Package #3 to Mergy Construction Co., Inc. in the amount of $12,691.50 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 6353-94 to Mergy Construction Co., Inc. in the amount of $12,691.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. AWARD: Resolution 6356-94, Crestwood Colony Improvements - Phase I to Mergy Construction Co., Inc. in the amount of $77,802.50 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 6356-94 to Mergy Construction Co., Inc. in the amount of $77,802.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

4. Approval of Board Minutes of October 26, 1994;
Jim Owen moved approval of Board Minutes of October 26, 1994. Motion carried. Minutes approved as printed and distributed.

5. Contract 6355-94 between Mergy Construction Co., Inc. and the City of Fort Wayne for Crown Colony Improvements - Phase I, Chadwick Drive from Richfield Lane to Strathdon Drive for the purpose of concrete street restoration in the amount of $39,691.50 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6355-94 between Mergy Construction Co., Inc. and the City of Fort Wayne in the amount of $39,691.50. Motion carried. Notice to Proceed to be sent. Copy on file.

6. Contract 237-94 between T & F Construction Corporation and the City of Fort Wayne for Street Light Maintenance (STREET LIGHTING BUDGET); PRIOR APPROVAL REQUESTED;
Jim Owen moved approval of Contract 237-94 and between T & F Construction Corporation and the City of Fort Wayne and the Prior Approval request. Motion carried. Contract and Prior Approval approved subject to Councilmanic approval.

7. Sewer Contract 94-S-37 between Anthony A. Lockhart and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Lockhart sanitary extension at Parkderdale Drive (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-37 between Anthony A. Lockhart and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. Received Release of Escrow from Liberty Construction, Inc. for Contract 481-1991, Ranchwood Storm Drainage Improvement - Phase III in the amount of $11,479.55. Escrow Agent is Lincoln National Bank;
Jim Owen moved approval of Release of Escrow from Liberty Construction, Inc. for Contract 481-1991 in the amount of $11,479.55. Motion carried. Release of Escrow forwarded to Lincoln National Bank for their handling. Copy on file.

9. Standard Agreement for Professional Services between the City of Fort Wayne and Malcolm Pirnie to provide professional engineering services for the study of water treatment processes and chemical usage for the Fort Wayne Three Rivers Filtration Plant. Director of Utilities recommends approval;

Terry Atherton, Utility Administration, stated a recommendation was made in 1986 by McNamee, Porter & Seeley, Consulting Engineers, regarding optimization of the Filtration Plant. Their recommendation was that we undertake a treatment study to make sure we are optimizing chemical additions at the plant and that recommendation was reiterated again earlier this year by a consulting firm named Wade Miller & Associates, DBA/Vista Consulting Group, who was hired by the City Utilities Citizens Advisory Committee and City Council to look at efficiency possibilities in City Utilities. The Vista Group recommended that we undertake a similar study of treatment processes to optimize chemical additions at the plant. The total cost of the project is not to exceed $95,000 and treatment objectives will be discussed with the City within 45 days of receipt of the City's Notice to Proceed. The funding is set aside in the 1995 Capital Budget.

Chet Shastri, Chemist at Filtration Plant answered technical questions.

Jim Owen stated he knows that the study features the process, the way we treat the water, but there is an element there that deals with the substance or the quality of the water. He asked which is the larger element, the process or the substance, and what is the City spending most of the money on. He stated he was concerned about maintaining quality and safety.

Terry Atherton stated that strictly from a cost savings standpoint, the City's cost for chemicals is $1.5 million and it represents 12 cents per thousand gallons of chemical costs and nation-wide the average is 3 cents. The United States as a whole does not treat our quality of raw water. We have to treat our quality of raw water against certain standards. The first standard is the primary drinking water standard. The secondary standard is the aesthetic qualities of the water, taste, odor, hardness, etc.. If you view this study not from the aspect of an efficiency savings, we can utilize that information.

Terry stated that the end of the study includes a two day workshop to determine what the community expects. The community has to provide the input to the consultant and then the consultant can give the City a projection of what action should be taken to reduce costs and maintain the water quality the public wants.

Jim Owen stated he would like to get a clean bill of health or a statement of some kind in terms of the safety factor.

Terry pointed that the City has a very competent staff at the Filtration Plant which is capable of doing the study but they do not have the time or staff resources to do it as throughly and quickly as a consulting firm can.

Terry McCaffrey asked if there is a benefit to having an outside consultant come in to observe and provide a check and balance routine to the City's own review.

Terry Atherton stated that a consultant does enhance a study's credibility.
Jim Owen moved approval of Standard Agreement for Professional Services between the City of Fort Wayne and Malcolm Pirnie. Motion carried. Copy herein incorporated.

10. Received the following petitions during the period of Wednesday, October 26, 1994 up to and including Tuesday, November 1, 1994:

Petition for standard street lighting at 1701 Tyler Avenue,

Petition for sidewalk installation or replacement and replacement of curbs on at 352 W. Suttenfield,

Petition for removal of curb at 113 McKinnie,

Petition for ornamental street lighting in the 700 and 800 blocks of West Oakdale Drive,

Petition for standard street lighting in the Campus Court Addition;

Jim Owen moved to accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to the respective departments for their investigation.

11. Received recommendation from WPC Engineering to accept Resolution 923-1993, Woodway Drive Sanitary Sewer Extension project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Resolution 923-1993 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to Dehner Construction, Inc.

12. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $43,783.61. The write-offs are for May and June, 1994;
Linda Buskirk moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $43,783.61. Motion carried. Write-offs forwarded to General Accounting for their handling.

13. Temporary Easement granted to Indiana Michigan Power to hook up electric for the pump house for Headwaters Park, north of the Armory;
Jim Owen moved approval of Temporary Easement granted to Indiana Michigan Power to hook up electric for the pump house for Headwaters Park, North of the Armory. Motion carried. Distribution Easement document forwarded to I & M for recordation.

14. Revolving Barrett Law claims in the amount of $778,387.62;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $778,387.62. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.

15. Claims approval in the amount of $23,780,862.31:
Jim Owen moved approval of Claims in the amount of $23,780,862.31. Motion carried. Claims forwarded to General Accounting for their handling.

16. Taxi Cab License Renewal Gregg R. Beckman;
Terry McCaffrey moved approval of Taxi Cab License Renewal Gregg R. Beckman upon recommendation from Neil Moore on the condition that Mr. Beckman maintains good behavior. Motion carried. License to be renewed.

17. Taxi Cab License Renewal George W. Coleman;
Jim Owen moved approval of Taxi Cab License Renewal George W. Coleman. Motion carried. License to be renewed.

18. Presentation of Wastewater Master Plan;

Pat Callahan, WPC Engineering, presented the Board with a handout from the Master Plan showing existing conditions at the WPC Plant, overall plant performace based on raw sewage data, Fort Wayne rainfall distribution, and proposed Wastewater facilities improvements. He stated that the City started on a Wastewater Master Plan about 14 months ago and the rough draft for the Master Plan is completed. The original master plan was divided into two parts, stormwater and wastewater. Pat gave a presentation about wastewater which is divided into the sanitary collection system, the combined collection system that uses one pipe to transport both stormwater and sanitary sewer, and the treatment plant. His recommendation was that the Board of Public Works keep this plan alive and the utility customers should be major participants in the formulation of the implementation plan. His next step is to encourage and coordinate that participation. He stated the implementation chapter has not been completed.

19. Old Business:

None.

20. New Business:

Jim Owen moved that City Utilities prepare a consulting schedule in the form of a matrix to show how many consultants are being used for which tasks, and at what cost by December 15. Motion carried. Scheduled to be prepared.

Meeting adjourned at 10:05 a.m.

Linda Buskirk

Linda Buskirk, Director

James Owen

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

November 2, 1994

Stormwater Management Board
Office of the Board

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

ATTEST: Patricia J. Crick

PRESENT: All Members, Clerk and Ann Smith, Board of Public Works; Terry Atherton, Utility Administration; Steve Martin, City Utilities Accounting; Tim Warren, Water Resources; Pat Callahan, Tom Pallone, WPC Engineering; Darren Good, Storm Water Engineering; Chet Shastri, Filtration Plant, Mary Jane Slaton, Public Information Office.

1. Approval of Board Minutes of October 26, 1994;
Jim Owen moved approval of Board Minutes of October 26, 1994. Motion carried. Minutes approval as printed and distributed.

2. Received letter from Bercot, Inc. requesting a 30 day extension on Resolution 517-1994, Crestwood Colony Addition.
Jim Owen moved approval of letter from Bercot, Inc. requesting a 30 day extension on Resolution 517-1994, Crestwood Colony Addition. Motion carried. New extension date December 2, 1994.

3. Old Business:

None.

4. New Business:

None.

Meeting adjourned at 10:28 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 2, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey

ATTEST: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Jeff Grogg, Street Engineering; Betsy Meyer, Revolving Barrett Law.

1. Final Hearing - Notice of Assessment - Improvement Resolution 6318-93, Fleming Avenue - Calumet to Calhoun.
Jim Owen moved to confirm assessment roll for Improvement Resolution 6318-93. Motion carried. Assessment roll sent to Department of Finance.

Hearing adjourned at 10:50 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey

ATTEST: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, Ken Stempien; Water Engineering; Betsy Meyer, Barrett Law Office.

1. Notice to Property Owners - Resolution 1063-94, North Schomburg Drive/Clear Street Water Main Extension.
Jim Owen moved to confirm Resolution 1063-94. Motion carried. Remonstrance period up on November 14, 1994.

Hearing adjourned at 11:20 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 9, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; Charles Bailey & Walter Jordan, Contract Compliance; R. David Boyer, Assoc. City Attorney; Linda Powell, Staff Attorney; David Ross, City Engineer; Terry Atherton, Utility Administration; Tom Jones & Jeff Grogg, Street Engineering; Pat Callahan & Ray Wigfield, WPC Engineering; Mike Thornson, Stormwater Engineering; Rick Orr, Right-of-Way Dept.; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office.

1. **RECEIVE BIDS** - Resolution 6357-94, Woodhurst Neighborhood Miscellaneous Concrete Repair (CEDIT NEIGHBORHOOD)

Brooks Const.	43,510.25
Dehner Const.	37,911.25
S. E. Johnson Cos.	47,836.25
Key Concrete	34,005.00
Mergy Const.	43,360.00
Eng. Est.	$36,885.00

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6358-94, Tower Heights Addition Concrete Repairs (CEDIT NEIGHBORHOOD)

Brooks Const.	52,063.75
Dehner Const.	48,571.00
S. E. Johnson Cos.	50,866.50
Key Concrete	42,978.00
Mergy Const.	51,675.50
Eng. Est.	$50,937.00

Street Engineering to tabulate and report.

3. Approval of Board Minutes of November 2, 1994;
Jim Owen moved approval of Board Minutes of November 2, 1994. Motion carried. Minutes approved as printed and distributed.

4. Approval of Public Hearing Minutes of November 2, 1994 for Resolution 6318-93 and Resolution 1063-94;
Terry McCaffrey moved approval of Public Hearing Minutes of November 2, 1994 for Resolution 6318-93 and Resolution 1063-94. Motion carried. Minutes approved as printed and distributed.

5. Received recommendation from Water Engineering to accept Contract 9402, Autumn Chase Section II, Phase II and Contract 9409, Stillwater Place, Section VI projects as an integral part of the City's water main system;
Jim Owen moved to accept Contracts 9402 and 9409 as an integral part of the City's water main system. Motion carried. Acceptance letters to be sent to Kurtz Excavating.

6. Received recommendation from WPC Engineering to accept Contract 94-S-24, Stillwater Place Section VI Sanitary Sewer Extension as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 94-S-24 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to Kurtz Excavating.

7. Change Order 1 and Final received from Wayne Asphalt & Construction Co., Inc. for Resolution 6318-93, Fleming Avenue Reconstruction decreasing the contract price by $3,927.67. The original contract price was $79,540.00;
Jim Owen moved approval of Change Order 1 and Final received from Wayne Asphalt & Construction Co., Inc. for Resolution 6318-93 decreasing the contract price $3,927.67. Motion carried. Copy on file.

8. Change Order 1 and Final received from Tomco Construction Co., Inc. for Resolution 6334-94, Rudisill/Plaza Sidewalk Reconstruction increasing the contract price by $2,567.78. The original contract price was $45,542.00;
Jim Owen moved approval of Change Order 1 and Final received from Tomco Construction Co., Inc. for Resolution 6334-94 increasing the contract price by $2,567.78. Motion carried. Copy on file.

9. Received the following petitions during the period of Wednesday, November 2, 1994 up to and including Tuesday, November 8, 1994:

   Petition for multi-project package. This includes replacement of curbs or installation of new curbs and street reconstruction in the 5400 to 5700 block of Winter Street between intersections of Roosevelt to Paulding

   Petition for sidewalk replacement at 525 E. Brackenridge
   Jim Owen moved to accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective departments for their investigation.

10. Received letter from C. Duane Embury on behalf of his client, Indiana Auto Auction requesting a deferment of the area connection fees for the proposed development of an Indiana Auto Auction repair shop on Washington Center Road. Recommendation from WPC Engineering is to not allow the deferment;
Linda Buskirk moved to table letter received from C. Duane Embury upon behalf of his client, Indiana Auto Auction requesting a deferment of the area connection fees for the proposed development of an Indiana Auto Auction repair shop on Washington Center Road. Motion carried. Letter tabled for further review.

11. Water Contract 9412 between Northbrook Development, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Northbrook Phase II Offsite (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9412 between Northbrook Development, Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

12. Construction Contract 94-W-02 between T-G Incorporated and the City of Fort Wayne to make repairs to the raw water lines at the Three Rivers Filtration Plant in the amount of $58,037.00 (WATER UTILITY);
Jim Owen moved approval of Contract 94-W-02 between T-G Incorporated and the City of Fort Wayne. Motion carried. Copy on file. Notice to proceed to be sent.

13. **IMPROVEMENT RESOLUTION 6350-94,** Dodge Avenue-Woodward Avenue to Carew Street Phase II for replacement of curbs, driveway approaches, sub-surface drainage and street reconstruction (CEDIT NEIGHBORHOOD/ REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6350-94. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners November 18, 1994 with hearing to be held on November 30, 1994.

14. Sewer Easement Resolution 212-1994 for the condemnation of Permanent and Temporary Easement for Haffner Drive Sanitary Sewer Extension;

    Pat Callahan, WPC Engineering, stated that the above sewer easement resolution is for the condemnation of a 10' platted easement on one property. The property owner had trees that he wanted to save and the City realigned the sewer to save the trees. Now that the sewer has been aligned, it is slightly outside of the easement and the property owner won't sign the additional easement that gets the sewer back inside the easement. This delays other property owners from tieing into the sewer.
    Jim Owen moved approval of Sewer Easement Resolution 212-1994. Motion carried. Copy herein incorporated.

15. Taxi Cab License Renewal for Daniel R. Lay;
Jim Owen moved to Deny the Taxi Cab License Renewal for Daniel R. Lay based upon recommendation from Police Chief Neil Moore. Motion carried. Denial letter to be sent.

16. Claims approval in the amount of $3,338,696.96.
Jim Owen moved approval of claims in the amount of $3,338,696.96. Motion carried. Claims forwarded to General Accounting for their handling.

17. Old Business:

None.

18. New Business:

None.

19. Contract 6353-94 between Mergy Construction Co., Inc. and the City for 1994 Miscellaneous Concrete Repair - Package 3 (Cedit Neighborhood) in the amount of $12,691.50 and Contract 6356-94 between the City and Mergy Construction Co., Inc. and the City for Crestwood Colony Improvements - Phase I (Cedit Neighborhood) in the amount of $77,802.50.
Jim Owen moved approval of Contract 6353-94 and Mergy Construction Co., Inc. in the amount of $12,691.50 and Contract 6356-94 between Mergy Construction Co., Inc. and the City in the amount of $77,802.50. Motion carried. Notices to Proceed to be sent.

Meeting adjourned at 9:40 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 9, 1994

Stormwater Management Board
Office of the Board

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

ATTEST: Patricia J. Crick

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; Terry Atherton, Utility Administration; Tim Warren, Water Resources; Pat Callahan, Mike Thornson, Storm Water Engineering; Mary Jane Slaton, Public Information Office; R. David Boyer, Assoc. City Attorney; Linda Powell, Staff Attorney.

1. AWARD: Resolution 519-94, Pontiac Street - Wayne Trace Underpass to Wayne Asphalt & Construction Co., Inc. in the amount of $62,719.50 (STORMWATER UTILITY);
   Jim Owen moved approval of Award for Resolution 519-94 to Wayne Asphalt & Construction Co., Inc. in the amount of $62,719.50. Motion carried. Notice of Award to be sent. Stormwater Engineering to prepare contracts.

2. Approval of Board Minutes of November 2, 1994;
   Jim Owen moved approval of Board Minutes of November 2, 1994. Motion carried. Minutes approval as printed and distributed.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 9:40 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C James Owen
C. James Owen, Member

Terry P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

November 16, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Charles Bailey & Walter Jordan, Contract Compliance; David Ross, City Engineer; Tom Jones, Street Engineer; Tim Warren, Water Resources; Mike Thornson, Darren Good, Al Frisinger and Tom Gountras, Stormwater Engineering; Rick Orr, Right-of-Way; Mary Jane Slaton, Public Information Office; Daniel R. Lay, Taxi Renewal Applicant.

1. **RECEIVE BIDS** - Miscellaneous Bid - Sidewalk, South Side Washington Center Road at Halls Factory Restaurant (Redevelopment Commission)

Mergy Const.	5,175.00
Newell Const.	4,900.00
Eng. Est.	$4,960.50

Street Engineering to tabulate and report.

2. AWARD: Resolution 6357-94, Woodhurst Neighborhood Miscellaneous Concrete Repair to Key Concrete, Inc. in the amount of $34,005.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 6357-94 to Key Concrete, Inc. in the amount of $34,005.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. AWARD: Resolution 6358-94, Tower Heights Addition Concrete Repairs to Key Concrete, Inc. in the amount of $42,978.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 6358-94 to Key Concrete, Inc. in the amount of $42,978.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

4. Approval of Board Minutes of November 9, 1994;
Jim Owen moved approval of Board Minutes of November 9, 1994. Motion carried. Minutes approved as printed and distributed.

5. Sewer Contract 94-S-21 between the Fort Wayne Water Pollution Control Utility, Fort Wayne Community Schools and Fort Wayne South Side School Bldg. Corp. to construct a local sanitary sewer system to serve South Side High School Combination Sewer Reroute (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-21 between the Fort Wayne Water Pollution Control Utility, Fort Wayne Community Schools and Fort Wayne South Side School Bldg. Corp. Motion carried. Copy on file.

6. Received the following petition during the period of Wednesday, November 9, 1994 up to and including Tuesday, November 15, 1994:

   Petition for standard street lighting in alley behind 613 E. Washington Blvd.
   Jim Owen moved to accept the above petition as a formal part of the record. Motion carried. Petition forwarded to Street Light Engineering for their investigation.

7. Received recommendation from WPC Engineering to accept the work performed on Contract 94-S-23, Auburn Road Sanitary Sewer Extension as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Contract 94-S-23 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to David L. McHenry.

8. Received recommendation from Water Engineering to accept the work performed on Contract 9406, Northbrook Addn. Phase II Water Main as an integral part of the City's water main system;
Jim Owen moved to accept the work performed on Contract 9406 as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent to Liberty Construction, Inc.

9. Encroachment License Agreement between the City and GE Specialty Transformer for a chain link fence to encroach across alley off Jackson Street. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and GE Specialty Transformer. Motion carried. Encroachment License Agreement forwarded to the Recorder's Office for recordation.

10. Release of Easement Documents between the City of Fort Wayne and Griggs, Ltd. for part of Lots 3 and 5 in W. A. Ewing's Subdivision;
Jim Owen moved approval of Release of Easement Documents between the City of Fort Wayne and Griggs, Ltd. for part of Lots 3 and 5 in W. A. Ewing's Subdivision. Motion carried. Copy on file in vault.

11. Taxi Cab License Renewal for Larry D. Bridgewater;
Linda Buskirk moved approval of Taxi Cab License Renewal for Larry D. Bridgewater. Motion carried. License to be renewed.

12. Appeal from Taxi License Renewal Applicant Daniel R. Lay;

Daniel R. Lay spoke on his behalf stating he did have a conditional Public Passengers Chauffeur's License and needed the license in order to support his family.
Linda Buskirk moved to table the appeal from Daniel Lay until documentation is provided to the Board from the Indiana Bureau of Motor Vehicles or the court stating status and condition of license. Motion carried. Appeal tabled.

13. Revolving Barrett Law claims approval in the amount of $18,456.07.
Terry McCaffrey moved approval of Revolving Barrett Law claims in the amount of $18,456.07. Motion carried. Claims forwarded to Barrett Law Office for handling.

14. Claims approval in the amount of $18,383,149.82
Jim Owen moved approval of claims in the amount of $18,383,149.82. Motion carried. Claims forwarded to General Accounting for their handling.

15. Old Business:

I. Pat Callahan, WPC Engineering, had previously given the Board members a proposed nine step implementation procedure for the Sewer Utility Master Plan. Pat explained that the plan's "project categories' will be considered goals and that the implementation procedure will utilize the Board of Works, citizens and others to prioritize the goals. If appropriate, the Master Plan's goals, strategies, policies and selected projects will be modified as conditions change in future years.

II. John Stafford, Chamber of Commerce and Chairman of the City Utilities Citizens Advisory Committee, presented copies of "A Management Review of the Fort Wayne Water Wastewater and Stormwater Utilities" prepared by Vista Consulting Group and "City Utilities Advisory Committee's Final Report". He stated that the committee would be making a presentation at Council the evening of November 29, 1994 at 5:30 p.m. **Jim Owen moved to accept the work of the City Utilities Citizens Advisory Committee. Motion carried. He then commended the committee for the good service provided to the Board and the community.**

III. Jim Owen inquired about the status of All Star Construction.

Pat Callahan, WPC Engineering, and Rick Orr, Right-of-Way Department, stated that All Star Construction has not turned in their final paper work for several projects.

16. New Business:

None.

Meeting adjourned at 9:40 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 16, 1994

Stormwater Management Board
Office of the Board

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Charles Bailey & Walter Jordan, Contract Compliance; Tim Warren, Water Resources; Mike Thornson, Darren Good, Al Frisinger and Tom Gountras, Stormwater Engineering; Rick Orr, Right-of-Way; Mary Jane Slaton, Public Information Office.

1. Approval of Board Minutes of November 9, 1994;
   Jim Owen moved approval of Board Minutes of November 9, 1994. Motion carried. Minutes approved as printed and distributed.

2. Change Order 1 and Final received from Dehner Construction, Inc. for Resolution 515-94, Avalon Place - Phase II decreasing the contract price by $3,380.00. The original contract price was $39,700.00;
   Jim Owen moved approval of Change Order 1 and Final received from Dehner Construction, Inc. for Resolution 515-94 decreasing the contract price by $3,380.00. Motion carried. Copy of Change Order in file.

3. Change Order 1 and Final received from Bercot, Inc. for Resolution 516-94, Centerhurst Addition Storm Drainage Improvement increasing the contract price by $426.00. The original contract price was $30,780.00;
   Terry McCaffrey moved approval of Change Order 1 and Final received from Bercot, Inc. for Resolution 516-94 increasing the contract price by $426.00. Motion carried. Copy of Change Order in file.

4. Old Business;

   None.

5. New Business;

   None.

Meeting adjourned at 9:45 a.m.

Linda Buskirk
Linda Buskirk, Chairman

Jim Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 16, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey

ATTEST: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law, Jeff Grogg, Street Engineering; Jeff Baxter, Board of Park Commission; Don & Fern Wait, Residents.

1. Final Hearing - Notice of Assessment - Improvement Resolution 6324-94, Fairmont Place Addition Curb & Sidewalk Improvement Phase IV. **Terry McCaffrey moved to confirm Assessment Roll for Resolution 6324-94. Motion carried. Assessment Roll forwarded to the Department of Finance.**

Meeting adjourned at 10:45 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: Linda Buskirk, C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law, Jeff Grogg, Street Engineering.

1. Final Hearing - Notice of Assessment - Improvement Resolution 6244-94, Illsley Drive Alley Reconstruction. **Jim Owen moved to confirm Assessment Roll for Resolution 6344-94. Motion carried. Assessment Roll forwarded to the Department of Finance.**

Meeting adjourned at 11:05 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 23, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk and Ann Smith, BOW; David Ross, City Engineering; Ron Fletcher and Loren Kravig, Redevelopment Commission; Mike Thornson, Stormwater Engineering; Rick Orr, ROW; Barb Nussa and Dawn Ritchie, Solid Waste Manager's Department; Mary Jane Slaton, PIO; Doug Pooler, Filtration Plant; Charles Bailey and Walter Jordon, Contract Compliance; Gary Baeten, Neighborhood Code Enforcement Department; Tom Jones, Street Engineering; Neil Wisler and Jim Cornell, WPC Plant; Terry Atherton and Deb Farrell, Utility Administration; Tim Warren, Water Engineering; Pat Callahan, WPC Engineering; Joe Springer, EMA, Dave Camperman, Board of Health, Joe Edmonds, Owner of 601 W. Washington Blvd. Daniel Lay, Taxi Applicant.

1. AWARD: Miscellaneous Invitational Bid: Sidewalk - South Side Washington Center Road at Halls Factory Restaurant to Newell Construction Co., Inc. in the amount of $4,900.00 (REDEVELOPMENT COMMISSION);
Jim Owen moved approval of award of Miscellaneous Invitational Bid to Newell Construction Co., Inc. in the amount of $4,900.00. Motion carried. Notice of Award to be sent to Newell Construction Co., Inc.

2. Approval of Board Minutes of November 16, 1994;
Jim Owen moved approval of Board Minutes of November 16, 1994. Motion carried. Minutes approved as printed and distributed.

3. Approval of Public Hearing Minutes of November 16, 1994 for Resolution 6324-94 and Resolution 6344-94;
Jim Owen moved approval of Public Hearing Minutes of November 16, 1994 for Resolution 6324-94 and 6344-94. Motion carried. Minutes approved as printed and distributed.

4. Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6333-94, Coldwater Road: Coliseum to Collins increasing the contract price by $5,419.00. Original contract price was $309,556.89;
Jim Owen moved approval of Change Order 2 received from Brooks Construction Co., Inc. for Resolution 6333-94 increasing the contract price by $5,419.00. Motion carried. Copy on file.

5. Change Order 2 received from Indiana Construction Corp. for Division I - Upgrade of Anaerobic Digesters increasing the contract price by $798.30. Original contract price was $2,823,750.00;
Jim Owen moved approval of Change Order 2 received from Indiana Construction Corp. for Division I - Upgrade of Anaerobic Digesters increasing the contract price by $798.30. Motion carried. Copy on file.

6. Change Order 1 received from Mergy Construction Co., Inc. for Resolution 6302-93, Fairmont Place Phase III (Curb & Walk) decreasing the contract price by $2,696.88. Original contract price was $94,810.25;
Jim Owen moved approval of Change Order 1 received from Mergy Construction Co., Inc. for Resolution 6302-93 decreasing the contract price by $2,696.88. Motion carried. Copy on file.

7. Change Order 1 received from Newell Construction Co., Inc. for Miscellaneous Invitational Bid - Indian Village Concrete Repairs decreasing the contract price by $387.00. Original contract price was $11,331.00;

Jim Owen moved approval of Change Order 1 received from Newell Construction Co., Inc. for Miscellaneous Invitational Bid - Indian Village Concrete Repairs decreasing the contract price by $387.00. Motion carried. Copy on file.

8. Contract between EMA and the City of Fort Wayne for Consulting Services for High Service Pump Detailed Automation Design for Fort Wayne Filtration Plant Automation not to exceed $91,800.00;

Joe Springer, EMA, gave a brief presentation on the different consulting services EMA has done for the City at the Fort Wayne Filtration Plant.
Jim Owen moved approval of Contract between EMA and the City of Fort Wayne for Consulting Services for High Service Pump Detailed automation design for the Fort Wayne Filtration Plant Automation. Motion carried. Copy on file in vault.

9. Special Street Permit for Thomas Hartzog to construct Honeywell Drive in Northrop Industrial Park;
Jim Owen moved approval of Special Street Permit for Thomas Hartzog to construct Honeywell Drive in Northrop Industrial Park. Terry Atherton respectfully requested the Board table the Special Street Permit until the Utility Administrative Departments can analyze the overall plan. Terry McCaffrey moved to table the Special Street Permit for Thomas Hartzog to construct Honeywell Drive in Northrop Industrial Park and have a report back from engineering no later than the first meeting in January, 1995. Motion carried. Special Street Permit tabled.

10. **RESOLUTION** for the Acquisition of Real Estate ("Old Fort") and Related Land Holdings;

Ron Fletcher, Redevelopment Commission, explained to the Board where the land is located, who owns the land and the condition of the land. The owner, the Allen County/Fort Wayne Historical Society, has made an attempt to get someone interested in saving the Old Fort but no one has come forward with the necessary resources to do that. The City of Fort Wayne Redevelopment Commission has been in conversation with the Allen County/Fort Wayne Historical Society over the last several months and the society has agreed that the City would be the logical group to take the Old Fort over at this point. Ron stated that this property can assist the City in several ways. The Headwaters Park needs a certain area of the property to complete a portion of the park. The Filtration Plant will probably need additional space in the future and it would be a shame to allow the private sector to take possession of the real estate that the City would have to acquire 15 years from now. This area is in the flood plain and the Redevelopment Commission has been doing acquisitions for flood control in the surrounding area so involvement in this particular area would be consistent with that process. The property has been offered to the City for $29,000.00 which represents a note that the Historical Society has for the property. An appraisal was done on the 7 acre Old Fort area and the $29,000.00 is well below that appraisal.
Terry McCaffrey moved approval of Resolution for the Acquisition of Real Estate ("Old Fort") and Related Land Holding. Motion carried. Copy herein incorporated.

11. City of Fort Wayne Highway Maintenance Bond received from Dehner Construction, Inc. for Resolution 6317-93, Parnell - Romy to State;
Jim Owen moved approval of the Maintenance Bond received from Dehner Construction, Inc. for Resolution 6317-93. Motion carried. Copy on file.

12. Received recommendation from WPC Engineering to accept Contract 94-S-02, Grand Rental Station Sanitary Sewer Reroute and Contract 94-S-30, Lima Meadow Section I & II Sanitary Sewer projects as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contracts 94-S-02 and 94-S-30 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent to respective contractors.

13. Received recommendation from Water Engineering to accept Contract 9402, Autumn Chase Section II, Phase II and Contract 9412, Northbrook Phase II Offsite Water Main System projects as an integral part of the City's water main system;
Jim Owen moved to accept Contracts 9402 and 9412 as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent to respective contractors.

14. Received the following petitions during the period of Wednesday, November 16, 1994 up to and including Tuesday, November 22, 1994;

Petition for sidewalk and curb improvements on 2120 S. Harrison, running from Butler to DeWald and curbs on DeWald, running from S. Harrison to Webster;

Petition for sidewalk installation or replacement of the Grater Mt. Ararat Baptist Church which is located at the corner of Edsall and Schele Avenue;

Jim Owen moved to accept the above petitions as a formal part of the record. Motion carried. Petitions forwarded to respective departments for their investigation. Jim Owen also suggested that petitions be listed on the agenda on a monthly basis only.

15. Agreement between the City of Fort Wayne and Indiana Department of Transportation for the construction of flashers and crossing surface on Lower Huntington Road and Rail Road Crossing No. 478 053W. Federal share of all eligible cost is 90%. Local share shall be paid through Local Road and Street account;
Jim Owen moved approval of Agreement between the City of Fort Wayne and Indiana Department of Transportation for the construction of flashers and crossing surface on Lower Huntington Road and Rail Road Crossing No. 478 053W.

    David Ross, City Engineer, made a recommendation to add installation of crossing gates to the Agreement.

    Jim Owen moved to amend the Agreement to indicate that crossing gates are included as part of the Agreement. Motion carried. Amendment to Agreement to be added. Motion carried to approve the Rail Road Agreement as amended. Copy herein incorporated.

16. Water Contract 9413 between the Fort Wayne Water Utility and Colonial Development, Inc. to construct water main systems to serve Cherry Hill, Section I (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9413 between the Fort Wayne Water Utility and Colonial Development, Inc. Motion carried. Copy on file.

17. Water Contract 9414 between the Fort Wayne Water Utility and Colonial Development, Inc. to construct water main systems to serve Cherry Hill, Section II (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9414 between the Fort Wayne Water Utility and Colonial Development, Inc. Motion carried. Copy on file.

18. Extension of ARCA, Inc. contract;
Jim Owen moved approval of the Extension of ARCA, Inc. contract. Motion seconded by Linda Buskirk.

    Barb Nussa, Solid Waste Manager's Department, stated that on July 1, 1993 the City entered into a contract with Appliance Recycling Centers of America to pick up appliances that contain freon for the City and for residents. The current contract expires at the end of the year and the City has the opportunity to extend the contract for 1 or up to 2 years. Barb recommends extending the contract for 2 years and she will return with a formal response for the Board within 2 weeks.
    Linda Buskirk moved approval to give Barb Nussa the authorization to negotiate a 2 year contract. Motion carried. Barb Nussa to negotiate contract with ARCA, Inc. Contract to be presented to the Board in 2 weeks.

19. **EMERGENCY RESOLUTION** for the Solid Waste Manager's Department to hire a private company to clear brush and trim tree branches in the right-of-way of 113 alleys in the City of Fort Wayne. Completion date for this project is December 30, 1994;

    Barb Nussa explained that the City will be changing contractors for garbage pick up beginning January 1, 1995 and the contractor will be using a different truck to pick up residential waste. Two-thirds of the garbage collection in Fort Wayne is alley pick-up. Brush and tree branches need to be trimmed from the right-of-way in order for the trucks to pass. Quotes were received from various landscaping and tree services and the quotes came in well under the estimated cost.
    Linda Buskirk moved approval of Emergency Resolution for the Solid Waste Manager's Department to hire a private company to clear brush and trim tree branches in the right-of-way of 113 alleys in the City of Fort Wayne. Motion carried. Copy herein incorporated.

20. Auto Liability and General Liability Claims in the amount of $76,430.65 per City Ordinance G-18-89;
Jim Owen moved approval of Auto Liability and General Liability Claims in the amount of $76,430.65. Motion carried. Claims forwarded to Risk Management for their handling.

21. Approval of Barricade Permit received from Norwest Bank for Christmas Tree Lighting Ceremony to be held Wednesday, November 23, 1994 from 6:45 p.m. to 7:15 p.m.;

Rick Orr, Right-of-Way Department, stated that what the Board is approving is the waiver of the Barricade Permit Fees.
Jim Owen moved approval of the request to waive the Barricade Permit Fees received from Norwest Bank for Christmas Tree Lighting Ceremony. Motion carried. Copy on file.

22. Rick Orr, Right-of-Way Department requests permission from the Board to notify the Owner to demolish the abandoned filling station at 601 W. Washington Blvd.;

Rick Orr, Right-of-Way Department, explained that the building is in bad shape and the Board has the responsibility of ordering the demolition of the property. There are underground storage tanks on the site that had been filled with sand sometime ago. The recommendation from Right-of-Way is to order the demolition of the building, removal of the storage tanks and block off the access point.

Gary Baeten, Neighborhood Code Enforcement Department, stated that work to get this station rehabilitated or removed started in 1990. A great deal of tax money being used to board and clean up this property and Neighborhood Code Enforcement Department is unable to keep the building secure. Before something serious happens he suggests getting rid of the building.

Joe Edmonds, Owner of the property at 601 W. Washington Blvd., stated that 35 years about, Al and Irene Hastings purchased the property and converted it into a laundromat. Mr. Hastings died in the 1970's and Mrs. Hastings died just recently. Mr. Edmonds was not aware that the building was in violation of any Fort Wayne building codes until Mr. Orr contacted him or he never would have accepted the property. The property was sold in the late 1980's to 2 contract buyers. Mr. Edmonds questioned if building is demolished, would it be his building or the contract buyers' building? Mr. Edmonds cited the need for more legal research.

Linda Buskirk clarified that regardless of the subsequent uses of a building because those tanks are there and because it was originally a filling station we have to regard it as an abandoned filling station and the laws on that come from other places in addition to our own City Ordinance.
Jim Owen moved to resolve that the building at the site 601 W. Washington Blvd. be demolished. Motion carried. Building ordered to be demolished. Forwarded to the Right-of-Way Department for their handling.

23. Taxi Cab License Applicant Joseph J. Minnich;
Jim Owen moved approval of Taxi Cab Applicant Joseph J. Minnich. Motion carried. License to be issued.

24. Taxi Cab License Renewal Jerry A. Zehendner;
Jim Owen moved approval of Taxi Cab License Renewal Jerry A. Zehender. Motion carried. License to be renewed.

25. Appeal from Taxi License Renewal Applicant Daniel R. Lay (Tabled from last week);

Linda Buskirk stated that the Board of Public Works office talked to the Bureau of Motor Vehicles and found out that the condition on Mr. Lay's Chauffeur's License was that he carry high risk insurance. With the insurance policy he was issued this conditional license. Mr. Lay showed proof of the insurance certificate to the Board of Public Works.
Terry McCaffrey moved to accept the Appeal from Taxi License Renewal Applicant Daniel R. Lay. Motion carried. License to be renewed.

26. Old Business;

I. Jim Owen asked for an update on the Tilted Digester.

Neil Wisler, WPC Plant, stated that the contractor, Indiana Construction Corp. has secured the lid of the tilted digester with cables.

II. Jim Owen inquired about the WPC Plant Lab. Jim Cornell, Chief Chemist at the WPC Plant Lab informed the Board that the Lab received an award from the Indiana Water Pollution Control Association for Outstanding Laboratory Performance for 1994. The WPC Plant Lab was 1 of 7 recipients in the state. Under the 4 main categories there were 79 specific individual criteria that the Lab was rated on and overall the Lab was given a 95% rate.

III. Jim Owen had questions on the Master Plan. Pat Callahan stated that the Board asked for an update on the Master Plan and that is what Pat gave the Board about 3 or 4 weeks ago. In the update were questions about how to implement it. Pat submitted a memo to the Board members with a suggested procedure in implementing the Master Plan and was asking for feedback.

27. New Business;

David Ross, City Engineer, stated he sits on the Urban Enterprise Association Board which has projects it wants to do within Urban Enterprise Zone that include the industries' use of public facilities. One is a project along Engle Road at Earth Drive that needs an improvement accessing Earth Drive. They have asked for the services of a consultant to do the design work. Three proposals were received from consultants to provide those services. The Board of Public Works' involvement is advertising and receiving project bids and awarding construction contracts. The Urban Enterprise Association Board will probably select one of the proposals submitted by the consultants to develop plans which will come before the Board of Works for bid letting within 60 to 90 days.

Meeting adjourned at 11:20 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 23, 1994

Stormwater Management Board
Office of the Board

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk and Ann Smith, BOW; David Ross, City Engineering; Ron Fletcher and Loren Kravig, Redevelopment Commission; Mike Thornson, Stormwater Engineering; Rick Orr, ROW; Barb Nussa and Dawn Ritchie, Solid Waste Manager's Department; Mary Jane Slaton, PIO; Doug Pooler, Filtration Plant; Charles Bailey and Walter Jordon, Contract Compliance; Gary Baeten, Neighborhood Code Enforcement Department; Tom Jones, Street Engineering; Neil Wisler, WPC Plant; Terry Atherton and Deb Farrell, Utility Administration; Tim Warren, Water Engineering; Pat Callahan, WPC Engineering; Dave Camperman, Board of Health, Daniel Lay, Taxi Applicant.

1. **RECEIVE BIDS** - Resolution 518-94, Hawthorne Street - Southern Court Area Drainage Improvement (STORMWATER UTILITY FUNDS)

Bercot, Inc.	$174,909.00
Dehner Construction, Inc.	153,400.00
Scheidleman Excavating, Inc.	159,784.90
Site Contractors, Inc.	143,269.58
Eng. Est.	$174,200.00

Stormwater Engineering to tabulate and report.

2. Approval of Board Minutes of November 16, 1994;
Terry McCaffrey moved approval of Board Minutes of November 16, 1994. Motion carried. Minutes approved as printed and distributed.

3. Old Business;

None.

4. New Business;

None.

Meeting adjourned at 9:03 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

November 30, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Thelma A. Morris, Clerk Protem

PRESENT: All Members, Clerk Protem and Ann Smith, BOW; R. David Boyer, Assoc. City Attorney; Sandy Maldeney, Property Manager; Pat Callahan & Marion Robinson, WPC Engineering; Charles Bailey and Water Jordan, Contract Compliance; Terry Atherton and Deb Farrell, Utility Administration; David Ross, City Engineering; Rick Orr, Right-of-Way Department; Tim Warren, Water Engineering; Tom Jones, Street Engineering; Mike Thornson & Tom Gountras, Stormwater Engineering; Mary Jane Slayton, Public Information Office; Zohrab Tazian, Developer; Phil Troyer, Ken Ryan and Jim Lauer, LaOtto Sewer District. Patricia J. Crick, Clerk, absent.

1. Approval of Board Minutes of November 23, 1994;
   Jim Owen moved approval of Board Minutes of November 23, 1994. Motion carried. Minutes approved as printed and distributed.

2. Change Order #1 and Final received from All Star Construction, Inc. for Resolution 926-94, Hacienda Village Phase II decreasing the contract price by $17,982.28. Original contract price was $108,693.00;
   Jim Owen moved approval of Change Order #1 and Final received from All Star Construction, Inc. for Resolution 926-94 decreasing the contract price by $17,982.28. Motion carried. Copy on file.

3. Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6329-94, Jefferson/Washington Blvd. - Thieme to Broadway, decreasing the contract price by $21,998.61. Original contract price was $240,004.49;
   Jim Owen moved approval of Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6329-94 decreasing the contract price by $21,998.61. Motion carried. Copy on file.

4. Consideration of request from LaOtto Regional Sewer District to connect their proposed system into the existing Huntertown system;

   Linda Buskirk read a letter received from Phillip A. Troyer, President of the LaOtto Regional Sewer District, requesting a letter of acceptance to connect proposed system (via forced main) into the existing Huntertown collection system. The letter stated that they are projecting an estimated 45,000 gallons per day and gave the following reasons precipitating this request.

   a. Effluent would otherwise be discharged into the existing Ft. Wayne drinking water watershed.

   b. Sanitary Sewer Regionalization is strongly encouraged by Farmers Home Administration.

   c. The LaOtto Regional Sewer District is expected to receive FHA funding in the 1995 fiscal year.

   d. The main extension (at LaOtto Regional Sewer District expense) would benefit that portion of Allen County north of Huntertown.

   Phillip Troyer introduced Ken Ryan, Vice-President, LaOtto Regional Sewer District and Jim Laur of Schnelker, Inc. He reiterated the reasons which precipitated this request and answered questions from the Board members. He stated that IDEM has not given the district notification of violations, but the local Board of Health and other agencies recognize that area as a potential problem. Now the effluent is being treated by individual septic tanks and there is not a stormwater system.

   Pat Callahan, Sanitary Sewer Engineering, discussed the sewer capacity of the mains and presented a map of the various areas served. He stated that the Harlan and Maysville Sewer Districts may request an increase of the amount of sewage they are pumping to us and there may be an interceptor problem. He also stated that the cost of increasing the interceptor size to accept the LaOtto Regional Sewer District would be $1.6 million and discussed financing and engineering options.

Zohrab Tazian, Developer, requested that the City reserve the sewer capacity for this community.
Linda Buskirk moved to table consideration of request from LaOtto Regional Sewer District to connect proposed system into the existing Huntertown collection system until January 11, 1995. Motion carried. Consideration of request tabled until January 11, 1995.

5. Revolving Barrett Law Claims approval in the amount of $35,958.13;
Jim Owen moved approval of Revolving Barrett Law Claims in the amount of $35,958.13. Motion carried. Claims forwarded to the Barrett Law Department for their handling.

6. Claims approval in the amount of $20,077,877.93;
Jim Owen moved approval of Claims in the amount of $20,077,877.93. Motion carried. Claims forwarded to Civil City Accounting for their handling.

7. Old Business;

Linda Buskirk stated that 2 weeks ago a letter received was tabled from Duane Embury on behalf of his client, Indiana Auto Auction, requesting a deferment of area connection fees. Linda had since received a letter withdrawing that request.

8. New Business;

Jim Owen requested staff input and recommendation on agenda item #4. A workshop is to be held on December 28, 1994 in lieu of the regular Board meeting on the Master Plan, specifically on expanding the collection system. The media is to be notified of meeting.

Meeting adjourned at 10:15 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Thelma A. Morris
Thelma A. Morris, Clerk Protem

November 30, 1994

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 10:15 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Thelma A. Morris, Clerk Protem

PRESENT: All Members and Clerk Protem, BOW; R. David Boyer, Assoc. City Attorney; Tom Manny, Traffic Engineering; Pat Callahan, WPC Engineering; Tom Gountras, Stormwater Engineering; Terry Atherton & Deb Farrell, Utility Administration; Walter Jordan & Charles Bailey, Contract Compliance; Tim Warren, Water Engineering; Mary Jane Slaton, Public Information Office; Sandy Maldeney, Property Manager. Patricia J. Crick, Clerk, absent.

1. AWARD: Resolution 518-94, Hawthorne Street - Southern Court Area Drainage to Site Contractors, Inc. in the amount of $145,088.58 (STORMWATER UTILITY);
   Jim Owen moved approval of award of Resolution 518-94, Hawthorne Street - Southern Court Area Drainage to Site Contractors, Inc., in the amount of $145,088.58. Motion carried. Notice of Award to be sent to Site Contractors, Inc. Stormwater Engineering to prepare contracts.

2. Approval of Board Minutes of November 23, 1994;
   Terrace McCaffrey moved approval of Board Minutes of November 23, 1994. Motion carried. Minutes approved as printed and distributed.

3. Stormwater Contract 519-94 between the City of Fort Wayne and Wayne Asphalt & Construction Co., Inc. to install storm sewers, underdrains, manholes for drainage improvement of Pontiac Street-Wayne Trace Underpass area in the amount of $ (STORMWATER UTILITY);
   Linda Buskirk moved to approve Stormwater Contract 519-94 between the City of Fort Wayne and Wayne Asphalt & Construction Co., Inc. in the amount of $62,719.50. Motion carried. Notice to Proceed to be sent. Copy on file.

4. Old Business;

   None.

5. New Business;

   None.

Meeting adjourned at 10:25

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Thelma A. Morris
Thelma A. Morris, Clerk Protem

November 30, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey

ATTEST: Thelma A. Morris, Clerk Protem

PRESENT: Linda Buskirk, C. James Owen, Terrance P. McCaffrey, Thelma A. Morris, BOW; Betsy Meyer, Barrett Law; Jim Riemke, Street Light Engineering. Patricia J. Crick, Clerk, absent.

1. Notice to Property Owners - Resolution 238-94, Westwood North Street Light Improvement (CEDIT/REVOLVING BARRETT LAW).
Jim Owen moved to confirm Resolution 238-94. Motion carried. Remonstrance period to be up December 12, 1994.

Meeting adjourned at 10:55 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Thelma A. Morris
Thelma A. Morris, Clerk Protem

Hearing held at **11:00 a.m.**

PRESENT: Linda Buskirk, C. James Owen, Terrance P. McCaffrey, Thelma A. Morris, BOW; Betsy Meyer, Barrett Law; Vic Bobay, Street Engineering. Patricia J. Crick, Clerk, absent.

1. Notice to Property Owners - Resolution 6350-94, Dodge Avenue - Woodward Avenue to Carew Street Phase II, replacement of curbs, driveway approaches, sub-surface drainage and street reconstruction (CEDIT/REVOLVING BARRETT LAW).
Jim Owen moved to confirm Resolution 6350-94. Motion carried. Remonstrance period up December 12, 1994.

Meeting adjourned at 11:15 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Thelma A. Morris
Thelma A. Morris, Clerk Protem

December 7, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; David Ross, City Engineer; Carl O'Neal, Transportation; Walter Jordan & Charles Bailey, Contract Compliance; Deb Farrell, Utility Administration; Tim Warren, Water Engineering; Rick Orr, Right-of-Way; Mary Jane Slaton, Public Information Office; Steve Martin, City Utilities Accounting; Wayne O'Brien, City Planning; Tom Jones, Street Engineering; Sandy Maldeney, Property Manager; Pat Callahan, WPC Engineering; Tom Gountras, Stormwater Engineering.

1. AWARD: Resolution 525-1994, S. R. I-469 Interstate 69 Exchange Sanitary Sewer Relocation to T-G Inc. in the amount of $749,999.65 (Sewer Utility - 100% reimbursable from State and Federal Funds);
Jim Owen moved approval of Award for Resolution 525-1994 to T-G Inc. in the amount of $749,999.65. Motion carried. Notice of Award to be sent. WPC Engineering to prepare contracts.

2. Approval of Board Minutes of November 23, 1994;
Jim Owen moved to approve Board Minutes of November 23, 1994. Motion carried. Minutes approved as printed and distributed.

3. Approval of Public Hearing Minutes of November 23, 1994 for Resolution 238-94;
Jim Owen moved approval of Public Hearing Minutes of November 23, 1994 for Resolution 238-94. Motion carried. Minutes approved as printed and distributed.

4. Approval of Public Hearing Minutes of November 23, 1994 for Resolution 6350-94;
Jim Owen moved approval of Public Hearing Minutes of November 23, 1994 for Resolution 6350-94. Motion carried. Minutes approved as printed and distributed.

5. Amendment to Easement Agreement between City Center Associates, L.P., and the City of Fort Wayne Board of Public Works to include an additional easement above the overhead walkway. The purpose of such additional easement is for the installation by Developer, its successors and assigns, from time to time, of a lighted Christmas tree or other seasonal decorations;
Jim Owen moved approval of Amendment to Easement Agreement between City Center Associates, L.P., and the City of Fort Wayne Board of Public Works to include an additional easement above the overhead walkway. Motion carried. Copy on file in vault.

6. Received request from United Media Group for a relocation of a Bus Hut which had been previously located at the intersection of Coliseum Blvd. and Coldwater Road. The shelter was temporarily moved to allow for the widening of the road at that intersection. Traffic Engineering and Right-of-Way have approved the plan;
Linda Buskirk moved approval of request from United Media Group for a relocation of a Bus Hut which had previously located at the intersection of Coliseum Blvd. and Coldwater Road. Motion carried. Bus Hut to be relocated.

7. Received request for Waiver of Barricade Fees from Science Central for removal of the Bicentennial sign over crosswalk at 100 W. Jefferson (Removal occurred December 2, 1994);
Terrance McCaffrey moved approval of request for Waiver of Barricade Fees from Science Central for removal of the Bicentennial sign of crosswalk at 100 W. Jefferson. Motion carried. Fee to be waived.

8. RESOLUTION for vacation of unimproved alley adjacent to Lots 16, 17, 18, 19 and part of 20 in Hagemans Subdivision. Various departments have approved;

Jim Owen moved approval of Resolution for vacation of unimproved alley adjacent to Lots 16, 17, 18, 19 and part of 20 in Hagemans Subdivision. Motion carried. Copy on file.

9. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $15,341.29. The write off is for the month of July, 1994;
Jim Owen moved to approve request from General Accounting to write off City Utilities delinquent accounts in the amount of $15,341.29. Motion carried. General Accounting to write off City Utilities delinquent accounts.

10. Change Order 1 received from Newell Construction Co., Inc. for Miscellaneous Invitational Bid decreasing the contract price by $953.60. Original contract price was $9,220.00;
Jim Owen moved approval of Change Order 1 received from Newell Construction Co., Inc. for Miscellaneous Invitational Bid decreasing the contract price by $953.60. Motion carried. Copy on file.

11. Change Order 2 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6305-93, E. State Blvd: White Oak to Coliseum decreasing the contract price by $42,333.14. Original contract price was $832,548.84;
Jim Owen moved approval of Change Order 2 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6305-93 decreasing the contract price by $42,333.14. Motion carried. Copy on file.

12. Change Order 1 received from Tomco Construction Co., Inc. for Resolution 6304-93, Miscellaneous Concrete Repair Package #1 decreasing the contract price by $231.60. Original contract price was $6,985.00;
Jim Owen moved approval of Change Order 1 received from Tomco Construction Co., Inc. for Resolution 6304-93 decreasing the contract price by $231.60. Motion carried. Copy on file.

13. Approval of Agreement between Urban Enterprise Association (UEA) through the Board of Public Works and Gensic & Associates for engineering services for the design of improvements to Engle Road (UEA FUNDED);
Jim Owen moved approval of Agreement between Urban Enterprise Association acting through the Board of Public Works and Gensic & Associates for engineering services for the design of improvements to Engle Road. Motion carried. Copy on file in vault.

14. Received recommendation from WPC Engineering to accept Contract 91-S-21, 7800 S. Gathings Drive Sanitary Sewer Extension and Contract 94-S-12, Autumn Chase Section II Phase II Sanitary Sewer Extension as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 91-S-21 and Contract 94-S-12 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent to respective contractors.

15. Sewer Contract 94-S-36 between Thomas L. Tom and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Wallen Road Sanitary Extension (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-36 between Thomas L. Tom and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

16. Request received from Holy Trinity Church for area assessment fee deferment for its new church complex to be built at 110 East Wallen Road. WPC Engineering has no objection to the request;
Linda Buskirk moved approval of request from Holy Trinity Church for area assessment fee deferment for its new church complex to be built at 110 East Wallen Road. Motion carried. Amount requested will be deferred.

17. Agreement for Professional Services between the City and Bonar & Associates, Inc. to obtain right-of-way and easements for the Army Corps of Engineer Flood Control Project. Services will include: preparation of legal descriptions, determination of acreage of area included in legal descriptions, provide numbering system to distinguish parcels described and provide drawings of parcels. Funding for professional services will be through the Allen County Flood Control Bond. Explanation will be given by Carl O'Neal;
Jim Owen moved approval of Agreement for Professional Services between the City and Bonar & Associates, Inc. to obtain right-of-way and easements for the Army Corps of Engineer Flood Control Project. Carl O'Neal, Director of Transportation, stated that the interim Secretary of the Army, the Mayor and the County Commissioners entered into a interlocal agreement for the construction of a $44.7 million Army Corps

Diking Project. The contract for Phase I will be bid in July 1995 with the total project being completed in 1999. In order to start the first phase, the City must obtain the right of way and certify that it is clear. This agreement requires Bonar to prepare legal descriptions for each parcel for a fee $7,640.00. Motion carried. Copy on file in vault.

18. Revolving Barrett Law claims approval in the amount of $13,737.56;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $13,737.56. Motion carried. Claims to be forwarded to Barrett Law Office for handling.

19. Taxi Cab License Renewal for James B. Garmire;
Jim Owen moved approval of Taxi Cab License Renewal for James B. Garmire. Motion carried. License to be renewed.

20. Taxi Cab License Renewal for Phillip L. Rohyans;
Jim Owen moved approval of Taxi Cab License Renewal for Phillip L. Rohyans. Motion carried. License to be renewed.

21. Old Business:

None.

22. New Business:

None.

Terrance McCaffrey moved to adjourned meeting. Motion carried.

Meeting adjourned at 9:29 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

December 14, 1994

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, & Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Charles Bailey & Walter Jordan, Contract Compliance; Rick Orr, ROW; Terry Atherton & Deb Farrell, Utility Administration; Tom Jones & Kevin Okleshen, Street Engineering; Mary Jane Slaton, Public Information Office; Neil Wisler, WPC Plant; Steve Martin, City Utilities Accounting; Wendy McConnell, City Utilities; Tim Warren, Water Resources, Doug Pooler, Filtration Plant; Tom Pallone & Pat Callahan, WPC Engineering; Tom Gountras, Storm Water Engineering; David Ross, City Engineer; Sandy Maldeney, Property Manager.

1. Approval of Board Minutes of December 7, 1994;
   Jim Owen moved approval of Board Minutes of December 7, 1994. Motion carried. Minutes approved as printed and distributed.

2. Change Order #3 and Final received from All Star Construction & Excavating, Inc. for Resolution 6319-93, Earthern & Steel Dike on St. Mary's/ Taylor to Hale decreasing the contract price by $2,049.71. The original contract price was $128,064.00;
   Jim Owen moved approval of Change Order #3 and Final received from All Star Construction & Excavating for Resolution 6319-93 decreasing the contract price by $2,049.71. Motion carried. Copy on file.

3. Change Order #4 and Final received from Brooks Construction Co., Inc. for Resolution 6325-94, Collins Road Improvements: Speedway Drive to Coldwater Road increasing the contract price by $86,943.50. The original contract price was $221,231.25;
   Linda Buskirk moved approval of Change Order #4 and Final received from Brooks Construction Co., Inc. for Resolution 6325-94 increasing the contract price by $86,943.50. She then opened the table for discussion.

   David Ross, City Engineer, stated that Final Change Order #4 was necessary because additional quantities were necessary in order to complete proposed construction and still comply with the City of Fort Wayne Standards and Specifications. Change Orders #1 and #2 do not reflect all quantities that were required to complete said changes. On Change Order #1 the final sidewalk retaining wall design was modified in order to contend with the differences between existing and proposed grade elevations beyond the sidewalk abutting the Collins Oldsmobile parking lot area. On Change Order #2 the same inconsistencies concerning existing stone-base materials on the eastbound traffic lane were present throughout the other portion of roadway that was yet to be constructed.

   Other over-runs include sewer structures and pipe that were required in order to keep the roadway in conformance - true to the lines and grades on the plans. Additional traffic control was required at the intersection of Coldwater Road in order to regulate traffic with the newly constructed turn lanes. "Rip-Rap" (Large Aggregate) was used in areas where the existing elevations were not consistent with proposed elevations which resulted in a 2.1 slope that required erosion control in order to retain area soils.

   The intersection of Speedway Drive and Collins Road will be a permanent 3-Way Stop Operation.

   Linda Buskirk asked for the vote. **Linda Buskirk and Terrance McCaffrey voted "aye". Jim Owen voted "nay". Motion carried. Change order approved and copy to be placed on file.**

4. Received recommendation from WPC Engineering to accept Contract 94-S-32, Falls of Kiefer Creek Sanitary Sewer and Contract 94-S-39, LaCabreah Section III Sanitary Sewer as an integral part of the City's sanitary sewer system;
   Jim Owen moved to accept the work performed on Contract 94-S-32 and Contract 94-S-39 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent.

5. Received recommendation from WPC Engineering to accept Emergency Resolution 81-26-8, Huestis-Scott Sewer Repair as an integral part of the City's combination sewer system;
Jim Owen moved to accept the work performed on Emergency Resolution 81-26-8 as an integral part of the City's combination sewer system. Motion carried. Acceptance letter to be sent.

6. Revolving Barrett Law claims approval in the amount of $38,625.14;
Jim Owen moved to approve Revolving Barrett Law claims in the amount of $38,625.14. Motion carried. Claims forwarded to the Barrett Law Office for their handling.

7. Claims approval for the week of December 7, 1994 in the amount of $3,214,346.87;
Jim Owen moved approval of claims for the week of December 7, 1994 in the amount of $3,214,346.87. Motion carried. Claims forwarded to General Accounting for their handling.

8. Claims approval for the week of December 14, 1994 in the amount of $38,607,265.87;
Jim Owen moved approval of claims for the week of December 14, 1994 in the amount of $38,607,265.87. Motion carried. Claims forwarded to General Accounting for their handling.

9. Matrix to show City Utilities Consulting Schedule;
Jim Owen moved to enter the Matrix to show City Utilities Consulting Schedule into the record. Motion carried. Copy on file.

10. Old Business:

   I. Jim Owen inquired about the status of the work to be completed on sewer projects by All Star Construction.

   Pat Callahan, WPC Engineering, stated that the work is completed but the final paper work has not been received on these sewer projects.

   II. Jim Owen stated that on December 13, 1994, City Council discussed the Consultant's Report on City Utilities and mentioned establishing benchmarks. Jim Owen inquired who becomes encumbered to establish benchmarks.

   Terry Atherton, Utility Administration, stated that the Board of Works is the legal Board of Directors for the utilities. The Utility Administration is committed to implementing efficiency improvements throughout City Utilities and establishing benchmarks with the Board of Works before the middle of January.

   The Filtration Plant is the number one concern from the Consultant's Report and the City Utilities Advisory Committee Report. It falls into two specific categories, manpower and chemical usage. Malcolm Pirnie Consultant is doing a chemical optimization study and the preliminary study should be done around January 15, 1994.

   Other main areas of concerns are biosolids and collective bargaining.

   Jim Owen stated that benchmarks will be an agenda item in January.

   Linda Buskirk moved to authorize City Utilities to proceed with the process on Request for Qualifications and Request for Proposals for entities interested in management for the City's biosolids. Motion carried. City Utilities to proceed.

   III. Jim Owen inquired if an agenda would be supplied in advance for the workshop on the Master Plan and who was going to do the presentation.

   Pat Callahan, WPC Engineering, stated that he had started an agenda and is proposing a series of short presentations on a number of different issues. The presenters would be those people that are most familiar with the issues.

11. New Business:

Terry Atherton, Utility Administration, stated that the approval of the water rate increase goes before the IURC in Indianapolis on Monday. Terry stated he would report the results to the Board probably at the next Board meeting.

Jim Owen moved to adjourn the December 14, 1994 Board of Public Works Meeting. Motion carried.

Meeting adjourned at 9:55 a.m.

Linda Buskirk
Linda Buskirk, Director

Jim Owen
C. James Owen, Member

Terrany P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

December 14, 1994

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 9:57 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Carolyn Newport, BOW; Charles Bailey, Contract Compliance; Mary Jane Slaton, Public Information Office; Deb Farrell & Terry Atherton, Utility Administration; Pat Callahan & Tom Pallone, WPC Engineering; Tom Gountras, Stormwater Engineering; Wendy McConnell, City Utilities; Steve Martin, City Utilities Accounting, Tim Warren, Water Resources.

1. Approval of Board Minutes of November 30, 1994;
Jim Owen moved approval of Board Minutes of November 30, 1994. Motion carried. Minutes approved as printed and distributed.

2. Stormwater Contract 518-94, Hawthorne Street/Southern Court Area Drainage Improvement between the City of Fort Wayne and Site Contractors, Inc. in the amount of $145,088.58 (STORMWATER UTILITY);
Jim Owen moved approval of Stormwater Contract 518-94 between the City of Fort Wayne and Site Contractors, Inc. in the amount of $145,088.58. Motion carried. Contract approved subject to Council approval.

3. Received recommendation from Stormwater Engineering to accept Resolution 515-94, Avalon Addition Drainage Improvement - Phase II as an integral part of the City's storm sewer system;
Jim Owen moved to accept the work performed on Resolution 515-94 as an integral part of the City's storm sewer system. Motion carried. Acceptance letter to be sent.

4. Old Business:

I. Jim Owen inquired about the status of the Stormwater Ordinance in Council.

Terry Atherton stated that at the Council Meeting the previous Tuesday night Councilman David Long proposed an amendment for an across the board 25% reduction in the charge for "not for profit" organizations, such as churches, on the stormwater system. Council is waiting for a response from the Attorney General's Office on whether the stormwater fee is a tax or not. Amendments will be discussed next week pending the Attorney General's response.

5. New Business:

None.

Meeting adjourned at 10:00 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

December 21, 1994

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Carolyn Newport & Ann Smith, BOW; R. David Boyer, Associate City Attorney; Deb Farrell & Terry Atherton, Utility Administration; Dick Knappenberger, Jeff Grogg, Tom Jones, Street Engineering; Walter Jordan, Contract Compliance; David Ross, City Engineer; Tim Warren, Water Resources; Sandy Maldeney, Property Manager; Linda Powell, Staff Attorney; Don McEvoy, Communications; Miriam Lipps, guest from Holland.

1. RECEIVE BIDS: Miscellaneous Invitational Bid - Pavement Repair: 1410/1141 Paulding Road and 3018 Hobson Road (CEDIT NEIGHBORHOOD);

	3018 Hobson Rd	1410/1141 Paulding Rd
Brooks Const. Co. Inc.	11,162.00	6,552.00
Mergy Const. Co., Inc.	10,504.50	7,542.00
Newell Const., Inc.	9,162.00	6,875.00
Pioneer Assoc., Inc.	13,694.50	8,314.15
Wayne Asphalt	10,128.00	7,421.00
Eng. Est.	10,802.00	8,150.00

Street Engineering to tabulate and report.

2. RECEIVE BIDS: Miscellaneous Invitational Bid - Pavement Repair: 205 W. Washington Ctr. Rd. & 310 W. Cook Rd. (CEDIT NEIGHBORHOOD);

Brooks Const. Co., Inc.	19,996.00
Mergy Const. Co., Inc.	16,831.50
Newell Const., Inc.	14,372.00
Pioneer Associates, Inc.	18,474.60
Wayne Asphalt	17,671.75

David Ross, City Engineer, stated Street Engineering would tabulate the bids for agenda items 1 & 2 during the meeting and would have a recommendation before the meeting was adjourned. He requested that the Board make an award this Board meeting. The Board agreed to do so.

3. Approval of Board Minutes of December 14, 1994;
Jim Owen moved approval of Board Minutes of December 14, 1994. Motion carried. Minutes approved as printed and distributed.

4. **Improvement Resolution 6361-94**, Lincolnshire Addition Improvements - Phase II (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6361-94. Motion carried. Copy herein incorporated.

5. Receipt of Proposals for Central Business District Curbs & Ramps Phase II;

David Ross, City Engineer, stated the first phase of the design of the above project was done by the City. The City staff work load, time constraints, and an advocate group disputing City design standards resulted in the RFP's for the engineering services to design the above project with new Federal Regulations. Proposals were received from Bonar & Associates, Inc. with a fee of $5,000.
Terrance McCaffrey moved to acknowledge receipt of the proposals for the Central Business District Curbs & Ramps Phase II. Motion carried. Proposals to be reviewed by Engineering staff.

6. Received recommendation from WPC Engineering to accept the work performed on Resolution 926-93, Hacienda Village Sanitary Sewer Phase II;
Jim Owen moved to accept the work performed on Resolution 926-93, Hacienda Village Sanitary Sewer Phase II. Motion carried. Acceptance letter to be sent to All Star Construction.

7. Change Order #1 and Final received from Underground Contractors for Resolution 924-1993, Blum - Innsbruck Sanitary Sewer increasing the contract price by $113.00. Original contract price was $32,572.00;

Jim Owen moved approval of Change Order #1 and Final received from Underground Contractors for work performed on Resolution 924-1993 increasing the contract price by $113.00. Motion carried. Copy on file.

8. Change Order #4 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6331-94, Parnell to Santa Rosa/Randallia Dr.: E. State to Lake Avenue, increasing the contract price by $39,010.50. Original contract price was $1,283,850.59;

   David Ross, City Engineering stated this change was necessary because of eliminating the access to Parks Dept. Offices on State Blvd. which has created traffic congestion and accidents in the past. A service road is being provided to the Park Department that would intersect the parking lot where the pavilion is located on Parnell. The City will contribute approximately $6,000 which is the estimated right-of-way value of property along State Blvd. and the Park Department will pick up the balance to do the remainder of the service road construction.
   Jim Owen moved approval of Change Order #4 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6331-94 increasing the contract price by $39,010.50. Motion carried.

9. Sewer Contract 94-S-31 between Denny Neidert and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Lake Avenue Sanitary at Maplecrest (PRIVATELY FUNDED);
   Jim Owen moved approval of Sewer Contract 94-S-31 between Denny Neidert and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

10. Sewer Contract 525-94 between T-G Inc. and the City of Fort Wayne for I-469 Sanitary Sewer Relocate in the amount $749,999.65 (SEWER UTILITY FUNDS REIMBURSABLE THROUGH STATE AND FEDERAL AGENCIES) - PRIOR APPROVAL REQUESTED;
    Jim Owen moved approval of Sewer Contract 525-94 between T-G Inc. and the City of Fort Wayne in the amount of $749,999.65. Motion carried. Contract approved subject to Councilmanic approval.

11. Computer Software Support and License Agreements between the Fort Wayne Board of Public Works and Spillman Data Systems, Inc. for the purchase of a software package and annual support maintenance;
    Don McEvoy, Communications, stated these agreements needed minor language changes. Amended documents are to be presented for signature next week.

12. Received Encroachment License Agreement from Robert R. Gilbert for a fence to encroach into right-of-way of Edgerton Street;
    Jim Owen moved approval of Encroachment License Agreement from Robert R. Gilbert. Motion carried. Jim Reimke, Street Lighting, stated that Street Lighting needs a work request signed so City forces can remove one pole, one light and one span of aerial wire to be removed at applicant's expense. Also the applicant needs to make arrangements with Water Maintenance and WPC Maintenance for access to water and sewer lines. Linda Buskirk amended the motion to approve the Encroachment License Agreement from Robert R. Gilbert conditional on meeting the Street Lighting, Water Utility and Sewer Utility request. Motion carried. Requests to be met by Mr. Gilbert.

13. Taxi Cab License Applicant Kenneth Ralph Behny;
    Jim Owen moved approval of Taxi Cab License Applicant Kenneth Ralph Behny. Motion carried. License to be issued.

14. Taxi Cab Company Application received from Checker Cab Company;
    Jim Owen moved approval of Taxi Cab Company Application received from Checker Cab Company. Motion carried. Taxi Cab Company License to be issued.

15. Taxi Cab Company Application received from Yellow Cab Co-op Inc.;
    Jim Owen moved approval of Taxi Cab Company Application received from Yellow Cab Co-op Inc. Motion carried. Taxi Cab Company License to be issued.

16. Claims in the amount of $3,816,952.58.
    Jim Owen moved approval of claims in the amount of $3,816,952.58. Motion carried. Claims forwarded to General Accounting for their handling.

17. **Resolution** approving the acquisition of real estate and establishing the acquisition amount for parcel #1, commonly known as 1130 Spy Run Avenue,

in the amount of $48,750; and parcel #2 commonly known as 1206 Spy Run Avenue in the amount of $19,000;

David Boyer stated that this land is being acquired for the purpose of enabling City Utilities to undertake capital improvements to its water filtration plant. This is being acquired by Summit Development Corporation which is a City-owned corporation. It has to be acquired by year-end and then City Utilities will purchase it from Summit Development at the acquisition price.
Jim Owen moved approval of Resolution approving the acquisition of real estate and establishing the acquisition amount for parcel #1, commonly known as 1130 Spy Run Avenue, in the amount of $48,750; and parcel #2 commonly known as 1206 Spy Run Avenue in the amount of $19,000. Motion carried. Copy herein incorporated.

18. Old Business:

Jim Owen inquired about the water rate increase timetable.

I. Terry Atherton, Utility Administration, stated Members of the Utilities staff went to Indianapolis the past Monday for a pre-settlement conference, which is the last step before the hearing January 10, 1995. An agreement was reached with the Office of Utility Consumer Counsel for the rate as requested. Basically they couldn't justify a rate lower than the 47% the City had justified so they accepted the 28.69% increase.

II. Pat Callahan gave the Board a draft agenda for the Master Plan workshop next week.

19. New Business:

(I) David Ross, Traffic Engineering, stated that Street Engineering tabulated bids for the miscellaneous bids received and their recommendation is to award Miscellaneous Bid - Pavement Repair at 3018 Hobson Road and 1410/1141 Paulding Road to Newell Const., Inc. in the amount of $16,037.00 and Miscellaneous Bid for 205 W. Washington Ctr. Rd. & 310 W. Cook Road to Newell Const., Inc. in the amount of $14,372.00.
Linda Buskirk moved to award the Miscellaneous Bid for 3018 Hobson Road and 1410/1141 Paulding Road to Newell Const., Inc. in the amount of $16,037.00. Motion carried. Notice of Award to be sent. Linda Buskirk then moved to award the Miscellaneous Bid for 205 W. Washington Ctr. Rd. & 310 W. Cook Road to Newell Const., Inc. in the amount of $14,372.00. Motion carried. Notice of Award to be sent.

Terrance McCaffrey moved to adjourn the December 21, 1994 Board of Public Works Meeting. Motion carried.

Meeting adjourned at 9:50 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

December 21, 1994

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 9:50 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW; Walter Jordan, Contract Compliance; Deb Farrell & Terry Atherton, Utility Administration; Pat Callahan, WPC Engineering; Tim Warren, Water Resources, Mirium Lipps, Guest from Holland.

1. Approval of Board Minutes of December 14, 1994;
   Terry McCaffrey moved approval of Board Minutes of December 14, 1994. Motion carried. Minutes approved as printed and distributed.

2. Received recommendation from Stormwater Engineering to accept Resolution 498-1992, Ludwig Park/Sharon Drive Drainage Improvements as an integral part of the City's storm sewer system;
   Jim Owen moved to accept Resolution 498-1992, Ludwig Park/Sharon Drive Drainage Improvements as an integral part of the City's storm sewer system. Motion carried. Acceptance letter to be sent to All Star Construction.

3. Old Business:

   None.

4. New Business:

   None.

   Linda Buskirk moved to adjourned the Stormwater Management Board Meeting. Motion carried.

Meeting adjourned at 9:55 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

December 28, 1994

Department of Public Works
Building Department
Meeting held at 7:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

1. Computer Software License Agreement between Spillman Data Systems, Inc. (SDS) and Allen County Computer System Project Building Corp. and the Fort Wayne Board of Public Works;
Jim Owen moved approval of the Computer Software License Agreement between Spillman Data Systems, Inc. ("SDS) and Allen County Computer System Project Building Corp. and the Fort Wayne Board of Public Works. Motion carried. Copy on file in vault.

2. Wastewater System Extension Policy Workshop convened at 7:15 a.m. with Chairman Linda Buskirk introducing the Board Members and Pat Callahan, Water Pollution Control Engineering.

   Pat Callahan presented the functions of a wastewater system, wastewater plan implementation, the workshop purpose and workshop format.

   Pat Callahan presented what engineering issues are associated with the expansion of the wastewater system and how the Wastewater System Expansion Policy addresses engineering issues.

   Speaker Joe Zehr presented how residential development benefits Fort Wayne and how the Wastewater System Policy addresses residential development.

   Speaker Beth Neu presented how economic development benefits Fort Wayne and how the Wastewater System Extension Policy addresses economic development.

   Speaker Gary Stair presented what role expansion of the wastewater system plays in urban planning and how the Wastewater System Extension Policy addresses urban planning issues.

   Phil Schnelker presented what role Fort Wayne's wastewater system plays in treating regional sewage, how Fort Wayne's region should be defined and how should the Wastewater System Extension Policy addresses regionalization.

   Pat Callahan and Beth Neu presented what sources of funds the utility has access to, how costs should be allocated to customers and the Wastewater System Expansion Policy addresses financing issues.

   Robert Griggs will make a presentation on environmental issues at a later Board of Public Works meeting.

   Pat Callahan then gave a summary and told what steps are to be taken.

Meeting adjourned at 11:15 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia Crick
Patricia J. Crick, Clerk

January 4, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Terrance P. McCaffrey, Patricia J. Crick, Ann Smith, Carolyn Newport, BOW; Deb Farrell & Terry Atherton, Utility Administration; Charles Bailey & Walter Jordan, Contract Compliance; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Mike Thornson, Stormwater Engineering; Tim Warren, Water Engineering; Ken Stempien & Pat Callahan, WPC Engineering; Tom Jones, Street Engineering. C. James Owen, absent.

1. **RECEIVE BIDS** - Resolution 1063-94, North Schomburg Drive/Clear Street Water Main Extension (WATER UTILITY)

Bercot, Inc.	17,144.90	2,703.00	19,847.90
Dehner Const. Inc.	21,026.00	2,925.00	23,951.00
Land, Inc.	26,043.80	3,250.00	29,293.80
Site Contractors	18,683.48	5,495.83	24,179.31
Eng. Est.	13,977.00	2,605.00	16,582.00

Water Engineering to tabulate and report.

2. Approval of Board Minutes of December 21, 1994;
Terrance McCaffrey moved approval of Board Minutes of December 21, 1994. Motion carried. Board Minutes of December 21, 1994 approved as printed and distributed.

3. Approval of Board Minutes of December 28, 1994;
Terrance McCaffrey moved approval of Board Minutes of December 28, 1994. Motion carried. Board Minutes of December 28, 1994 approved as printed and distributed.

4. Contract 6357-94, Woodhurst Neighborhood Miscellaneous Concrete Repairs between Key Concrete, Inc. and the City of Fort Wayne in the amount of $34,005.00 (CEDIT NEIGHBORHOOD);
Terrance McCaffrey moved approval of Contract 6357-94 between Key Concrete, Inc. and the City of Fort Wayne in the amount of $34,005.00. Motion carried. Notice to Proceed to be sent.

5. Contract 6358-94, Tower Heights Addition Concrete Repairs between Key Concrete, Inc. and the City of Fort Wayne in the amount of $42,978.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Contract 6358-94 between Key Concrete, Inc. and the City of Fort Wayne in the amount of $42,978.00. Motion carried. Notice to Proceed to be sent.

6. Amended Sewer Contract 94-S-33 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Rapids of Kiefer Creek Section I Sanitary (PRIVATELY FUNDED);
Terrance McCaffrey moved approval of Amended Sewer Contract 94-S-33 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

7. Received request for final Release of Escrow from All Star Construction and Excavation for Contract 926-1993, Hacienda Village Phase II Sanitary in the amount of $4,535.54. Escrow Agent is NBD Bank;
Terrance McCaffrey moved approval of request for final Release of Escrow from All Star Construction and Excavation for Contract 926-1993 in the amount of $4,535.54. Motion carried. Release of Escrow sent to NBD Bank for their handling.

8. Auto Liability and General Liability Claims in the amount of $45,331.24 per City Ordinance G-18-89;
Linda Buskirk moved approval of Auto Liability and General Liability Claims in the amount of $45,331.24. Motion carried. Claims forwarded to Risk Management for their handling.

9. Encroachment License Agreement between the City of Fort Wayne and Fort Wayne Better Business Bureau, Inc., 1203 Webster Street for an irrigation line running parallel and beside the walk on Webster Street. Various departments have approved;
Terrance McCaffrey moved approval of Encroachment License Agreement between the City of Fort Wayne and Fort Wayne Better Business Bureau, Inc., 1203 Webster Street for an irrigation line running parallel and beside the walk on Webster Street. Motion carried. Encroachment License Agreement to be forwarded to the Recorder's Office for recordation.

10. Encroachment License Agreement between the City of Fort Wayne and The First Presbyterian Church of Fort Wayne to allow an existing canopy in the right-of-way of the 200 block of East Washington Boulevard. Various departments have approved;
Terrance McCaffrey moved approval of Encroachment License Agreement between the City of Fort Wayne and The First Presbyterian Church of Fort Wayne to allow an existing canopy in the right-of-way of the 200 block of East Washington Boulevard. Motion carried. Encroachment License Agreement to be forwarded to the Recorder's Office for recordation.

11. Received recommendation from WPC Engineering to accept the work performed on Contract 94-S-37, Lockhart Sanitary Sewer at Parkerdale Drive as an integral part of the City's sanitary sewer system;
Terrance McCaffrey moved to accept the work performed on Contract 94-S-37 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent to Crosby Excavating, Inc.

12. Received request from General Accounting to write off City Utilities delinquent account in the amount of $804.42;
Terrance McCaffrey moved approval of request received from General Accounting to write off City Utilities delinquent account in the amount of $804.42. Motion carried. Write off for delinquent account to be forwarded to General Accounting for their handling.

13. Revolving Barrett Law claims approval for the week of January 4, 1995 in the amount of $594.95;
Terrance McCaffrey moved approval of Revolving Barrett Law claims for the week of January 4, 1995 in the amount of $594.95. Motion carried. Claims to be forwarded to Barrett Law Office for their handling.

14. Claims approval for the week of December 29, 1994 in the amount of $3,914,751.73;
Terrance McCaffrey moved approval of claims for the week of December 29, 1994 in the amount of $3,914,751.73. Motion carried. Claims to be forwarded to General Accounting for their handling.

15. Taxi Cab Company Application received from Deluxe Taxi Company;
Terrance McCaffrey moved approval of Taxi Cab Company Application received from Deluxe Taxi Company. Motion carried. Taxi Cab Company License to be issued.

16. Taxi Cab License Renewal for Samuel F. Houston;
Terrance McCaffrey moved approval of Taxi Cab License Renewal for Samuel F. Houston. Motion carried. License to be issued.

17. Taxi Cab License Renewal for Chester L. Reinking;
Terrance McCaffrey moved approval of Taxi Cab License Renewal for Chester L. Reinking. Motion carried. License to issued.

18. Old Business:

    None.

19. New Business:

    None.

Terrance McCaffrey moved to adjourn the January 4, 1995 Board of Public Works Meeting. Motion carried.

Meeting adjourned at 9:20 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

January 4, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 9:20 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Terrance P. McCaffrey, Patricia J. Crick, Ann Smith, Carolyn Newport, BOW; Deb Farrell & Terry Atherton, Utility Administration; Charles Bailey & Walter Jordan, Contract Compliance; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Mike Thornson, Stormwater Engineering; Tim Warren, Water Engineering; Ken Stempien & Pat Callahan, WPC Engineering; Tom Jones, Street Engineering. C. James Owen, absent.

1. Approval of Board Minutes of December 21, 1994:
   Terrance McCaffrey moved approval of Board Minutes of December 21, 1994. Motion carried. Minutes approved as printed and distributed.

2. Received recommendation from Stormwater Engineering to accept the work performed on Resolution 516-94, Centerhurst Addition Storm Drainage Improvement project as an integral part of the City's storm sewer system.
   Terrance McCaffrey moved to accept the work performed on Resolution 516-94. Motion carried. Acceptance letter to be sent to Bercot, Inc.

3. Old Business:

   None.

4. New Business:

   None.

   Terrance McCaffrey moved to adjourn the Stormwater Management Board meeting. Motion carried.

Meeting adjourned at 9:22 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

January 4, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Terrance P. McCaffrey, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law; Denny Root & Tom Jones, Street Engineering. C. James Owen, absent.

1. Notice of Assessment - Resolution 6328-94, Lynn Avenue Improvement - California Avenue to Florida Avenue.

   Several property owners inquired about restoration. Denny Root, Project Engineer, assured property owners that restoration would be made before the contractor would be paid the final payment.
   Terrance McCaffrey moved to confirm Assessment Roll for Resolution 6328-94. Motion carried. Assessment Roll to be forwarded to the Department of Finance.

Hearing adjourned at 10:40 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: Linda Buskirk, Terrance P. McCaffrey, Patricia J. Crick, Pat Callahan, Ray Wigfield, Al Frisinger, WPC Engineering. C. James Owen, absent.

1. Hearing - Notice to Property Owners, Sewer Easement Resolution 212-1994, For the Condemnation of Permanent and Temporary Easement - Haffner Drive Sanitary Sewer Extension.

   Pat Callahan, WPC Engineering explained the steps of the condemnation process.
   Linda Buskirk moved to reaffirm the condemnation by Sewer Easement Resolution #212-1994. Motion carried. Notices to be sent to property owners based on the cost of the project.

Hearing adjourned at 11:25 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

January 11, 1994

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Thelma A. Morris, Clerk Protem

PRESENT: All Members, Clerk Protem, & Carolyn Newport, BOW; R. David Boyer, Assoc. City Atty.; Tom Manny, Traffic Engineering; David Ross, City Engineer; Steve Martin, City Utilities Accounting; Charles Bailey, Contract Compliance; Mike Thornson, Stormwater Engineering; Pat Callahan, WPC Engineering; Jim Riemke, Street Light Engineering; Rick Orr, Finance Manager; Neil Wisler, WPC Plant; Deb Farrell, Utility Administration; Tom Jones, Street Engineering; Mary Jane Slaton, Public Information Office; James Federoff, Attorney. Patricia J. Crick, absent.

1. RECEIVE BIDS - Resolution 238-94, Westwood North Street Light Improvement (94 CEDIT/REVOLVING BARRETT LAW);

T & F Const.	$18,404.85
Weikel Line Co.	19,012.35
Eng. Est.	$21,633.50

Street Light Engineering to tabulate and report.

2. AWARD: Resolution 1063-94, North Schomburg Drive/Clear Street Water Main Extension to Bercot, Inc. in the amount of $19,847.90 (REVOLVING BARRETT/CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Resolution 1063-94 to Bercot, Inc. the amount of $19,847,90. Motion carried. Notice of Award to be sent. Water Engineering to prepare contracts.

3. Approval of Board Minutes of January 4, 1995;
Terrance McCaffrey moved approval of Board Minutes of January 4, 1995. Motion carried. Minutes approved as printed and distributed.

4. Approval of Public Hearing Minutes for Resolution 6238-94 held on January 4, 1995;
Terrance McCaffrey moved approval of Public Hearing Minutes for Resolution 6238-94 held on January 4, 1995. Motion carried. Minutes approved as printed and distributed.

5. Approval of Public Hearing Minutes for Resolution 212-1994 held on January 4, 1995;
Terrance McCaffrey moved approval of Public Hearing Minutes for Resolution 212-1994 held on January 4, 1995. Motion carried. Minutes approved as printed and distributed.

6. Change Order #1 for Miscellaneous Invitational Bid, Package #5 received from Mergy Construction Co., Inc. decreasing the contract price by $866.00. Original contract price was $9,685.00;
Jim Owen moved approval of Change Order #1 for Miscellaneous Invitational Bid, Package #5 received from Mergy Construction Co., Inc. decreasing the contract price by $866.00. Motion carried. Copy on file.

7. Change Order #1 for Resolution 6342-94, Brooklyn Resurfacing: Bluffton Road to Railroad received from Brooks Construction Co., Inc. decreasing the contract price by $30,043.97. Original contract price was $157,232.50;
Jim Owen moved approval of Change Order #1 for Resolution 6342-94 received from Brooks Construction Co., Inc. decreasing the contract price by $30,043.97. Motion carried. Copy on file.

8. Change Order #2 and Final for Resolution 6337-94, Washington Center Road Intersection Improvements Phase I received from E & B Paving, Inc. increasing the contract price by $18,479.21. Original contract price was $288,878.05;

David Ross, City Engineer stated the above change order was necessary because additional concrete pavement was needed due to the deteriorated condition. Also the Consultant under-estimated the quantity of asphalt bituminous binder.
Jim Owen moved approval of Change Order #2 and Final for Resolution 6337-94 received from E & B Paving, Inc. increasing the contract price by $18,479.21. Motion carried. Copy on file.

9. Received request for Waiver of Barricade Fee from March for Life Committee for parade to be held on Saturday, January 28, 1995 beginning at 12 Noon. Beginning at City-County Bldg. parking lot, south on Calhoun, west on Wayne, north on Webster, west on Berry to Scottish Rite Auditorium;
Jim Owen moved approval of request for Waiver of Barricade Fee from March for Life Committee for parade to be held on Saturday, January 28, 1995 beginning at 12 Noon. Motion carried. Fee to be waived.

10. Received request for Waiver of Barricade Fee from St. Judes School for 5K Race and Fun Run to be held on Saturday, April 29, 1995 from 8:30 A.M. - 11:30 A.M. Beginning at Randallia and Forest;
Jim Owen moved approval of request for Waiver of Barricade Fee from St. Judes School for 5K Race and Fun Run to be held on Saturday, April 29, 1995 from 8:30 A.M. - 11:30 A.M. Motion carried. Fee to be waived.

11. Received request for Waiver of Barricade Fee from South Side High School for Ivy Day Parade & Ceremony to be held on Friday, June 2, 1995. Beginning at S. Calhoun, Darrow to Oakdale, Oakdale from Calhoun to Clinton Court;
Jim Owen moved approval of request for Waiver of Barricade Fee from South Side High School for Ivy Day Parade & Ceremony to be held on Friday, June 2, 1995. Motion carried. Fee to be waived.

12. Received recommendation from WPC Engineering to accept Contract 94-S-8, Advance Mixer Sanitary Sewer Extension and Contract 94-S-33, Rapids of Kiefer Creek Sanitary Sewer as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 94-S-8 and Contract 94-S-33 as an integral part of the City's sanitary sewer system. Motion carried. Letters to be sent to respective contractors.

13. Access Agreement between the City of Fort Wayne and Kocolene Corporation for issuance of Improvement Location Permit No. C-4211 for real estate work located at 5133 Coldwater Road;

Tom Manny, Traffic Engineering, stated that Kocolene Oil Corporation submitted an application to the Board of Zoning Appeals for issuance of an Improvement Location Permit. The work proposed involves demolition and reconstruction of a service station and convenience store (Subway Shop) at 5133 Coldwater Road, which Kocolene planned to include as part of the reconstructed store. Traffic Engineering was concerned that the Subway Shop would generate additional traffic which could make the existing southern access unsafe. Kocolene agreed to submit a revised site plan to delete reference to a Subway Shop.

The Access Agreement states the City and Kocolene shall retain their respective rights, if any, regarding the south driveway access currently serving the real estate.
Jim Owen moved approval of the Access Agreement between the City and Kocolene Corporation for issuance of Improvement Location Permit No. C-4211 for real estate work located at 5133 Coldwater Road. Motion carried. Copy on file in vault.

14. Contract between Jones & Henry and the City of Fort Wayne for services in negotiating the new NPDES permit with IDEM and USEPA (Preliminary Estimate $9,000);

Neil Wisler, WPC Plant, stated the City is reapplying for the NPDES permit which expired January, 1990. The main thrust of the permit changes to be pursued is to eliminate/minimize permit excursions due to the performance of the effluent polishing pond and the storm water ponds. Jones & Henry Engineers, Inc. has experience in obtaining NPDES permits and will assist the City in these negotiations.
Jim Owen moved approval of Contract between Jones & Henry and the City of Fort Wayne for services in negotiating the new NPDES permit with IDEM and USEPA. Motion carried. Copy on file in vault.

15. Agreement between City of Fort Wayne and Bonar Associates, Inc. for engineering services to design improvements for the CBD Curb Ramp: Phase II Project. Improvements will be designed for twelve (12) intersections and are subject to Title II of the Americans With Disabilities Act (ADA). Services will be complete for a lump sum amount of $5,900 plus reimbursable expenses (estimated to be approximately $200). Project will be funded through CEDIT At-Large. City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City of Fort Wayne and Bonar Associates, Inc. for engineering services to design improvements for the CBD Curb Ramp: Phase II Project. Motion carried. Copy on file in vault.

16. Neighborhood Request for additional street lights as follows:

Second District	$45,900
Third District	46,350
Fifth District	54,000
Sixth District	13,000

These are to be funded by CEDIT Neighborhood Funds.

Tom Manny, Traffic Engineering, stated that these neighborhood requests are projects that have been approved by Council representatives for their districts to be funded from allocated CEDIT funds.
Jim Owen moved approval of neighborhood requests for additional street lighting. Motion carried. Lights to be installed.

17. Received Cable Television Program Advisory Council Grant Recipient Contract for the following:

Purdue University for IPFW/Channel 6 in the amount of $17,710.00
Fort Wayne Community Schools in the amount of $20,000.00
Allen County Public Library Channel 10 in the amount of $19,180.00
Saint Francis College in the amount of $4,695.78
Cable Access, Incorporated in the amount of $12,555.00
Lincoln Elementary School in the amount of $14,101.75
R. Nelson Snider High School in the amount of $6,705.00
Precious Blood School in the amount of $3,999.99

Rick Orr, Finance Manager, stated that Council has approved the amount for these grants.
Jim Owen moved approval of the above Cable Television Program Advisory Council Grant Recipient Contracts. Motion carried. Copies on file in vault.

18. Taxi Cab Company Application received from JJR Taxi;
Linda Buskirk moved approval of Taxi Cab Company Application received from JJR Taxi. Motion carried. Application approved.

19. Claims approval for the week of January 4, 1995 in the amount of $14,743,421.85;
Jim Owen moved approval of claims for the week of January 4, 1995 in the amount of $14,743,421.85. Motion carried. Claims forwarded to General Accounting for their handling.

20. Revolving Barrett Law claims approval for the week of January 11, 1995 in the amount of $88.60;
Jim Owen moved approval of Revolving Barrett Law claims for the week of January 11, 1995 in the amount of $88.60. Motion carried. Claims forwarded to Barrett Law Office for handling.

21. Old Business;

(1) Linda Buskirk inquired when the LaOtto Regional Sewer District request to connect proposed system into the existing Huntertown collection system is scheduled to be an agenda item. It was tabled from November 30, 1994. The LaOtto Regional Sewer District is to be notified when it is to be scheduled on the agenda.

(2) Pat Callahan distributed to the Board the first issue paper from the Wastewater System Extension Policy Workshop held on December 28, 1994 and requested that discussion on same be placed as a Board agenda item next week.

22. New Business;

None.

Terry McCaffrey moved to adjourn the January 11, 1995 Board Meeting. Motion carried.

Meeting adjourned at 9:40 a.m.

Linda Buskirk

Linda Buskirk, Director

James Owen

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Thelma A. Morris

Thelma A. Morris, Clerk Protem

January 11, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Thelma A. Morris, Clerk Protem

PRESENT: All Members & Clerk Protem, BOW; Betsy Meyer, Barrett Law; Tom Jones & Vic Bobay, Street Engineering; David Ross, City Engineer.

1. Notice of Assessment - Amended Improvement Resolution 6231-94, Daner Drive from North Drive to South Drive, construction of concrete street, drive approaches, street lights and storm sewer.

   Linda Buskirk read the ordinance explaining the purpose of the Assessment Hearing; Betsy Meyer explained the Barrett Law Process; and Vic Bobay, Project Engineer explained the scope of the project. There were concerns from property owners regarding restorations and Vic Bobay stated all restorations will be made.

   Letters remonstrating against the petition process were received. **Terrance McCaffrey moved to confirm Assessment Roll for Amended Improvement Resolution 6231-94. Motion carried. Asssessment Roll sent to the Department of Finance.**

Hearing adjourned at 11:30 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Thelma A. Morris
Thelma A. Morris, Clerk Protem

January 18, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Carolyn Newport, BOW; R. David Boyer, Associate City Attorney; David Ross, City Engineer; Charles Bailey & Walter Jordan, Contract Compliance; Rick Orr, Finance Manager; Carl O'Neal, Transportation; Tom Jones, Street Engineer; Sandy Maldeney, Property Manager; Terry Atherton, Utility Administration; Pat Callahan, Al Frisinger & Marion Robinson, WPC Engineering; Mike Thornson Stormwater Engineering; Mary Jane Slaton, Public Information Office; Tim Warren, Water Resources, Bill Charland & Al Snider, Lexington Heights Subdivision. Terrance P. McCaffrey, absent.

1. AWARD: Resolution 238-94, Westwood North Street Light Improvement to T & F Construction Corp. of Indiana in the amount of $18,404.85 (1994 CEDIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of award for Resolution 238-94 to T & F Construction Corp. of Indiana in the amount of $18,404.85. Motion carried. Notice of award to be sent. Street Light Engineering to prepare contracts.

2. Approval of Board Minutes of January 11, 1995;
Jim Owen moved approval of Board Minutes for January 11, 1995. Motion carried. Minutes approved as printed and distributed.

3. Approval of Public Hearing minutes for Amended Resolution 6231-91 held on January 11, 1995;
Jim Owen moved approval of Public Hearing minutes for Amended Resolution 6231-91 held on January 11, 1995. Motion carried. Minutes approved as printed and distributed.

4. Change Order #3 and Final for Resolution 6231-91, Daner Drive: North to South Drive received from Dehner Construction Co., Inc. increasing the contract price by $11,173.03. Original contract price was $147,656.75;
Jim Owen moved approval of Change Order #3 and Final for Resolution 6231-91 increasing the contract price by $11,173.03. Motion carried. Copy on file.

5. Agreement to Assign Various Rights and Interests between the Board of Commissioners of the County of Allen and the City of Fort Wayne in the conveyance from City to County of the contract with Bonar & Associates providing engineering services in conjunction with the Flood Control Project. Payment for services is being funded through County Bond;

   Carl O'Neal, Transportation explained that this agreement allows the County to pay Bonar directly, rather than the City fronting that cost, and then billing the County.
   Jim Owen moved approval of Agreement to Assign Various Rights and Interests between the Board of Commissioners of the County of Allen and the City of Fort Wayne in the conveyance from City to County of the Contract with Bonar & Associates providing engineering services in conjunction with the Flood Control Project. Motion carried. Copy on file in vault.

6. IMPROVEMENT RESOLUTION 6364-95, Beaver Avenue Improvements: Cottage Avenue to Wildwood Avenue for reconstruction of existing sidewalks, yardwalks, driveway approaches, corner wingwalks and alley approaches (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6364-95. Motion carried. Copy herein incorporated. Advertise Notice to Property January 27, 1995 with date scheduled for hearing on February 8, 1995.

7. Approval of Amendment of Grants of Easement between the City of Fort Wayne Board of Public Works and KSKM, an Indiana General Partnership;

Al Frisinger, WPC Engineering stated the sanitary sewer that was originally installed was built outside the easement area. KSKM is requesting to amend the easement document to incorporate the easement over the centerline of the sewer, vacate the existing one, and vacate another one that was dedicated erroneously.
Jim Owen moved approval of Amendment of Grants of Easement between the City of Fort Wayne Board of Public Works and KSKM, an Indiana General Partnership. Motion carried. Copy on file in vault.

8. Standard Form of Agreement between the City of Fort Wayne Board of Public Works and Martin, Riley & Mock, Inc. for Feasibility Study, Programming and Design of the New Fueling Center;

   Linda Buskirk stated this agreement is in conjunction with underground storage tanks and is for the design of the new facility for central fueling.
   Jim Owen moved approval of the Standard Form of Agreement between the City of Fort Wayne Board of Public Works and Martin, Riley & Mock, Inc. for Feasibility Study, Programming and Design of the New Fueling Center. Motion carried. Copy on file in vault.

9. Received recommendation from Water Engineering to accept the work performed on Contract 9410, Cherry Hill Water Main as an integral part of the City's water main system;
   Jim Owen moved to accept the work performed on Contract 9410, Cherry Hill Water Main as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent.

10. Claims approval in the amount of $1,442,433.29 for the week of January 18, 1995;
    Jim Owen moved approval of claims in the amount of $1,442,433.29. Motion carried. Claims forwarded to General Accounting.

11. Taxi Cab License Renewal for Gahe Giessler;
    Jim Owen moved approval of Taxi Cab License Renewal for Gahe Giessler. Motion carried. License to be renewed.

12. Taxi Cab License Renewal for Keith Petit;
    Jim Owen moved approval of Taxi Cab License Renewal for Keith Petit. Motion carried. License to be renewed.

13. Received recommendation from WPC Engineering to adopt policy for processing sewer expansion application;

    Pat Callahan, WPC Engineering stated that as a result of the work shop held December 28, 1994 on the Master Plan, the first of the issue papers was distributed to the Board last week with an intent to give a brief background, make recommendations and ask the Board to take some action. This particular issue is the interceptor capacity and how it should be considered in deciding whether someone will be allowed to tie into the sewer now that the City is expanding the sewer system.

    WPC Engineering recommended to give each of the major interceptors one of the following capacity ratings;

    1. Existing system has capacity available
    2. Existing system's current flows exceed design capacity
    3. Existing system experiences significant overflows

    After much discussion, Linda Buskirk moved to approve the above classifications and recommended staff review the fee structure. Motion carried. Classifications to be established.

14. Received letter from Charland Enterprises, Inc. requesting to address the Board with regard to tapping into the sanitary system in the Lexington Heights Subdivision in St. Joe Township;

    Bill Charland stated he is proposing to build a cul-de-sac access to finish the above subdivision and allow school buses to turn around. He found out that area has a "informal moratorium" on sewer taps. Signatures were obtained in this subdivision supporting the completion of this project.

Pat Callahan stated that the interceptor system overflows and is a problem system. Two houses in Lexington Heights Subdivision have crawl spaces that overflow. Developers have been discouraged to build in this area. He also stated that this is a high priority area and one of the first four or five areas that would be addressed in handling existing problems in the future.
Jim Owen moved to table agenda item #14 until next week in order for WPC Engineering to secure more information. Motion carried. Agenda item 14 tabled.

15. Consideration of request from LaOtto Regional Sewer District to connect its proposed system into the existing Huntertown system;

Terry Atherton, Utility Administration stated that there is capacity in the interceptor but there is concern with the utilities regarding donating capacity for development outside of Allen County. He recommended that the City encourage development by the extension of sewers close to the adjacent sewer system we have.
Linda Buskirk moved to deny request from LaOtto Regional Sewer District to connect its proposed system into the existing Huntertown system. Motion carried. Board to send letter informing LaOtto of Board decision.

16. E.B.E. Hearing for Weigand Construction Company, Inc.;

Charles Bailey, Contract Compliance stated that new information has been received and requested a continuance of the E.B.E. Hearing.

R. David Boyer, Associate City Attorney stated that Weigand Construction Company was in attendance earlier and he advised Charles Bailey to confer with them and indicate he was going to seek a continuance so they did not have to stay.
Jim Owen moved to grant a continuance of the E.B.E. Hearing for Weigand Construction Company, Inc. at the request of Charles Bailey. Motion carried. Charles Bailey is to make determination and the company is to make request for continuance if needed.

17. Old Business:

None.

18. New Business:

None.

Meeting adjourned at 10:13 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

January 18, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, BOW; R. David Boyer, Assoc. City Attorney; Betsy Meyer, Barrett Law; Vic Bobay & Tom Jones, Street Engineering. Terrance P. McCaffrey, absent.

1. Notice to Property Owners - Resolution 6361-94, Lincolnshire Addition Improvements - Phase II, for the improvement of Concord Lane from Fairfield Avenue to Calhoun Street; curbface walks, driveway approaches, sub-surface drainage, milling and resurfacing.

   Linda Buskirk stated that a remonstrance was filed in the Board of Public Works Office on January 9, 1995. Also a note was received from Mrs. Raymond H. Kinder, who stated she did not want to have this work done. Linda Buskirk stated that she conferred with R. David Boyer, Associate City Attorney, and the signatures on the remonstrance are fine if it is resubmitted as of this date, but the property owners do have ten days to change their minds if they decide they want to go ahead with the project.

   Vic Bobay, Project Engineer, explained the scope of the project and Betsy Meyer, Finance Manager, explained the Barrett Law process.

   Ron Flohr, President of Lincolnshire Addition, stated the Board of Lincolnshire Addition would like to go on record to show of support for this project.
   Jim Owen moved to confirm Resolution 6361-94. Motion carried. Remonstrance period is to be up on January 30, 1995.

Hearing adjourned at 11:00 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

January 25, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, & Carolyn Newport, BOW; Deb Farrell & Terry Atherton, Utility Administration; Steve Martin, City Utilities Accounting; Barb Nussa & Dawn Ritchie, Solid Waste Department; Walter Jordan & Charles Bailey, Contract Compliance; Tim Warren, Water Resources; Gregg Meszaros, GIS Systems; Jim Haley, SCT; Wayne O'Brien, C&ED; Tom Manny, Traffic Engineering; Tom Jones, Street Engineering; Pat Callahan, Mike Hicks, Tom Pallone, Denise Heiser, & Al Frisinger, WPC Engineering; Mike Thornson, Stormwater Engineering; Bill Charland & Al Snyder, Lexington Heights Subdivision; Mark Vincent, Vincent's Wash-N-Go.

1. Approval of Board Minutes of January 18, 1995;
   Jim Owen moved approval of Board Minutes of January 18, 1995. Motion carried. Board Minutes approved as printed and distributed.

2. Approval of Public Hearing Minutes of January 18, 1995 for Resolution 6361-94, Lincolnshire Addition Improvements - Phase II;
   Jim Owen moved approval of Public Hearing Minutes of January 18, 1995 for Resolution 6361-94. Motion carried. Public Hearing Minutes approved as printed and distributed.

3. Approval of Amendment to Contractual Agreement between the Board of Public Works and Appliance Recycling Centers of America, Inc. (ARCA, INC.) for collection, transportation and disposal of municipal residential freon waste items;

   Barb Nussa, Solid Waste Manager, stated that this amendment extends the terms of the agreement from the date of execution (June 30, 1993) through and including the 31st day of December 1996. She stated the program is going very well and next year she will develop quantifiable measures of achievement.
   Jim Owen moved approval of Amendment to Contractual Agreement between the Board of Public Works and Appliance Recycling Centers of America, Inc. Motion carried. Copy on file in vault.

4. Change Order #1 and Final received from Mergy Construction Co., Inc. for Resolution 6347-94, Winter Street Reconstruction decreasing the contract price by $5,643.92. Original contract price was $179,047.85;
   Jim Owen moved approval of Change Order #1 and Final received from Mergy Construction Co., Inc. for Resolution 6347-94 decreasing the contract price by $5,643.92. Motion carried. Copy on file.

5. Change Order #1 and Final received from Indiana Construction Corp. for Contract 94-W-01, Repairs to Plant #1 Clarification Tank increasing the contract price by $3,462.30. Original contract price was $178,000.00;
   Jim Owen moved approval of Change Order #1 received from Indiana Construction Corp. for Contract 94-W-01 increasing the contract price by $3,462.30. Motion carried. Copy on file.

6. Agreement between the Indiana Department of Transportation (INDOT) and City of Fort Wayne to participate in the preliminary engineering on Illinois Road Project: from Magnavox Road to Jefferson Blvd.; Project No. STP-F800(2) using Federal Aid funds allocated to the State. The Federal share of all eligible costs is 80%. The 20% City share of engineering costs will be funded through the CEDIT Bond. City Engineering recommends approval;
   Jim Owen moved approval of Agreement between the Indiana Department of Transportation (INDOT) and City of Fort Wayne to participate in the preliminary engineering on Illinois Road Project. Motion carried. Copy on file in vault.

7. Agreement between the City of Fort Wayne and MSE Corporation (Consultant) for engineering services required to prepare contract plans, specifications, cost estimates and bid documents for Illinois Road Project: from Magnavox Road to Jefferson Blvd.; Project No. STP-F800 (2) in accordance with INDOT requirements. Total fee is not to exceed $238,700.00. Federal Share estimate: $190,960.00, City Share estimate: $38,192.00. The City share of costs will be funded through CEDIT Bond. City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City of Fort Wayne and MSE Corporation for engineering services required to prepare contract plans, specifications, cost estimates and bid documents for Illinois Road Project. Motion carried. Copy on file in vault.

8. Approval of Amendment #1 to the Information Resource Management Agreement between SCT Software and Resource Management Corporation and the City of Fort Wayne;

   Jim Haley of SCT stated that this amendment is necessary to add professional services of a User Liaison position to perform the Systems Administration of the Public Safety Systems. The cost will be split between the City and the County.
Jim Owen moved Amendment #1 to the Information Resource Management Agreement between SCT Software and Resource Management Corporation and the City of Fort Wayne. Motion carried. Copy on file in vault.

9. **IMPROVEMENT RESOLUTION 6365-95,** Rudisill Blvd. Improvements: Smith Street to Anthony Blvd. Asphalt overlay removal, bituminous resurfacing, pavement markings, curb ramp construction, spot curb/driveway approach reconstruction and restoration (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6365-95. Motion carried. Copy herein incorporated.

10. Construction Contract between Bercot, Inc. and the City for Resolution 1063-94, North Schomburg Drive/Clear Street Water Main Extension in the amount of $19,847.90 (CEDIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of Construction Contract between Bercot, Inc. and the City for Resolution 1063-94 in the amount of $19,847.90. Motion carried. Copy on file.

11. **RESOLUTION** for vacation of the following dedicated street: Commercial Road from its Western terminus to a point 450' east and Interurban Drive from its intersection with Commercial Road to the Northern terminus. Petitioner is Hydra Tech, Inc. Routing has been finalized. Staff and Utilities have approved;
Jim Owen moved approval of Resolution for vacation of Commercial Road from its Western terminus to a point 450' east and Interurban drive from its intersection with Commercial Road to the Northern terminus. Motion carried. Copy on file.

12. Received Authorization for Partial Release of Escrow from Scheidleman Excavating, Inc. for Resolution 923-1993, Haffner Drive Sanitary Sewer Extension in the amount of $6,121.89. Escrow Agent is NBD Bank;
Jim Owen moved approval of Authorization for Partial Release of Escrow from Scheidleman Excavating, Inc. for Resolution 923-1993 in the amount of $6,121.89. Motion carried. Authorization for Partial Release of Escrow forwarded to Escrow Agent NBD Bank.

13. Response from WPC Engineering regarding petition received for sanitary sewer installation on the north side of Lower Huntington Road, east of Ardmore and west of Fernwood Place Addition;

    Tom Pallone of WPC Engineering stated that the recommendation from WPC Engineering is to advise property owners who signed the above petition that they could save time and money by proceeding on their own to work together to have the sanitary sewer mainline extension designed and constructed. They will have less overall cost to each of them and will have less overall cost to each of them and will be able to get connected to the existing sanitary sewer quicker than if the project proceeded with the Barrett Law procedures.
Linda Buskirk moved that WPC Engineering notify property owners on the above mentioned petition of their different options. Motion carried. WPC Engineering to notify property owners.

14. Revolving Barrett Law claims approval in the amount of $20,691.96 for the week of January 25, 1995;
Jim Owen moved approval of Revolving Barrett Law claims approval in the amount of $20,691.96. Motion carried. Claims forwarded to the Barrett Law Office for their handling.

15. Claims approval in the amount of $28,468,975.43 for the week of January 25, 1995;
Jim Owen moved approval of claims in the amount of $28,468,975.43. Motion carried. Claims forwarded to General Accounting for their handling.

16. Taxi Cab License Applicant Mary J. Minick;
Jim Owen moved approval of Taxi Cab License Applicant Mary J. Minick. Motion carried. License to be issued.

17. Taxi Cab License Applicant Michael D. Nessel;
Jim Owen moved approval of Taxi Cab License Applicant Michael D. Nessel. Motion carried. License to be issued.

18. Request received from Charland Enterprises, Inc. to tap into the sanitary sewer system in the Lexington Heights Subdivision in St. Joe Township (TABLED FROM LAST WEEK);
Jim Owen moved to place the Charland Enterprises, Inc. request back on the table for consideration. Motion carried.

Pat Callahan of WPC Engineering stated that he was tying his discussion of the situation of Charland Enterprises, Inc. with the policy that WPC Engineering is formulating regarding interceptor capacity. He then presented capacity classification criteria as follows:

I. Existing system has capacity available

    A. Interceptors that have design capacity available all the way to the plant according to Figure IV-2 of the master plan.

II. Existing system's current flows exceed design capacity

    A. Interceptors that do not fall into one of the other classifications according to Figure IV-2 of the master plan.

III. Existing system experiences significant overflows

    A. Interceptors that are shown to have existing flows that exceed the interceptors design capacity according to Figure IV-2 of the master plan and
    B. That have flow testing that verifies the master plans simulations and
    C. That maintenance department has visually verified the overflows and/or
    D. That customer complaint history of basement flooding or system overflows verify.

Pat stated that not only does flow exceed design capacity in the proposed development but there are significant overflow problems. Maps were presented showing the computer model that simulates flow throughout the system backing up this data. A graph from the flow test was also presented showing the measurements in the manhole in the system verifying what WPC Engineering had predicted with the model.

Pat had also talked with the General Foreman at the WPC Plant regarding the customer complaint history and he agrees that this manhole does in fact overflow any time there is one or more inches of rain. Several years ago WPC Maintenance actually installed a pipe to divert the overflows into the creek instead of flooding the yard. There were 1,500 to 2,000 job tickets over a 4 year period for the drainage basin that serves this area. The actual amount of sewage that would come from the 4 proposed lots would be approximately 200 gallons.

The Master Plan has suggested projects to correct the situation, being a relief line for the two sections of gravity and another barrel into the river for siphons. The cost of this project is not in the budget yet.

Pat Callahan also addressed questions from Bill Charland of Charland Enterprises and Al Snyder of Roth, Wehrly & Heiny Realtors.

Jim Owen stated he felt that since Bill Charland came forward with this request to improve this area before the Board adopted policy on how the City determines whether a system works or not and before the Board adopted the parts of the Master Plan that apply to this situation, he finds it very difficult to apply these things expost facto to deny Charland Enterprises. He also stated that since Charland Enterprises brought this request to our attention in a timely progression, the Board should adopt a policy before they apply it to anyone individually. **Jim Owen moved to approve the request from Charland Enterprises. Motion carried. Request approved.**

The Board emphasized that it is important to note that the Board is not setting a precedent but the timing in this case is an unusual factor in the Board's decision.

19. Request received from Vincent's Wash-N-Go to tap into the sanitary sewer system in Stellhorn Village;

    Mark Vincent stated that he is a Fort Wayne resident and has been working on the above project for about a 2-year period. The area in concern is in the lot west of Fazoli's on Stellhorn Road which was in the County and now is in the City. Since it is now zoned differently, it does not allow hookup to City sewers. Permits for Fazoli's were approved because they filed for permits earlier.

    Mark then presented the proposed water use for the car wash.

    Pat Callahan of WPC Engineering stated this situation is worse than the situation mentioned in agenda item 18. WPC Engineering has a plan for this area which is two-fold; (1) remove inflow and infiltration from existing system (2) build relief lines. Building the relief lines is the easiest and the quickest and there is $100,000 in this year's budget to do the engineering. The intent is to get into the bond market next year for about $2,000,000 to build a relief line. To get the inflow and infiltration out of the existing system is a much longer program, particularly because we are dealing with individual property owners and we have to revamp their system at their expense. The relief lines for this area should be done at the end of 1996 or early 1997.

    Mark Vincent stated that the proposed time for his Car Wash to be completed is approximately 6 months.

    Pat Callahan stated the recommendation from WPC Engineering is to reject request from Mark Vincent.
    Terrance McCaffrey moved to table agenda item #19 for two weeks. Motion carried. Agenda item #19 tabled until February 8, 1995.

20. Old Business:

    None.

21. New Business:

    None.

Meeting adjourned at 10:55 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

January 25, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 11:00 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Carolyn Newport, BOW; Deb Farrell & Terry Atherton, Utility Administration; Mike Thornson, Stormwater Engineering; Pat Callahan, Mike Hicks, Tom Pallone, Denise Heiser, WPC Engineering; Tim Warren, Water Resources, Mary Jane Slaton, Public Information Office; Gregg Meszaros, GIS; Steve Martin, City Utilities Accounting;

1. Approval of Board Minutes of January 4, 1995;
   Terry McCaffrey moved approval of Board Minutes of December 14, 1994. Motion carried. Minutes approved as printed and distributed.

2. Approval of Stormwater Budget revision;

   Deb Farrell, Utility Administration, gave Board Members the Ordinance Amending Chapter 53: "Stormwater Service," of the City of Fort Wayne Code of Ordinances as passed by City Council with highlighted changes that were made. She reviewed the changes with the Board.
   Linda Buskirk moved approval of the Stormwater Budget revision. Motion carried. Revision forwarded to the Mayor's office for his execution.

3. Old Business:

   None.

4. New Business:

   None.

   Terrance McCaffrey moved to adjourn the Stormwater Management Board Meeting. Motion carried.

Meeting adjourned at 11:17 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 1, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Ann Smith, BOW; R. David Boyer, Associate City Attorney; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Pat Callahan, Tom Pallone and Mike Hicks, WPC Engineering; Jim Riemke, Street Light Engineering; Tim Warren, Water Engineering; Mike Thornson, Stormwater Engineering; Charles Bailey and Walter Jordon, Contract Compliance; Rick Orr, Finance Manager; Tom Jones, Street Engineering; Terry Atherton, Utility Administration; Tom Manny, Traffic Engineering.

1. Acknowledgement of receipt of Professional Engineering Proposals for 6th District Neighborhood Projects, Reed Road, and Central Business District curb ramps;
Jim Owen moved to acknowledge receipt of Professional Engineering Proposals for 6th District Neighborhood Projects, Reed Road, and Central Business District curb ramps. Motion carried. Proposals acknowledged.

2. Approval of Board Minutes of January 25, 1995;
Jim Owen moved to tabled the approval of Board Minutes of January 25, 1995. Motion carried. Board Minutes tabled for one week.

3. **IMPROVEMENT RESOLUTION 6363-95,** Cottage Avenue Improvements: South Wayne Avenue to Indiana Avenue reconstructing curbs, sidewalks, yardwalks and corner wingwalks as needed (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6363-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners February 3, 1995 with date scheduled for hearing on February 15, 1995 at 10:30 a.m.

4. **IMPROVEMENT RESOLUTION 6366-95,** Maxine Drive Improvements: Beaver Avenue to Lexington Avenue reconstructing the curbing, sidewalks, driveway approaches, yardwalks, curb ramps and rehabilitating the storm sewer structures (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6366-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners February 10, 1995 with date scheduled for hearing on February 22, 1995 at 10:30 a.m.

5. **IMPROVEMENT RESOLUTION 6360-94,** Maywood Circle Street Reconstruction: Fairoak Drive to Interlaken Drive reconstructing the existing roadway with new bituminous pavement, construction of new curbing, reconstructing the drive approaches and rehabilitation of the existing storm structure system (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6360-94. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners February 17, 1995 with date scheduled for hearing on March 1, 1995 at 11:00 a.m.

6. **IMPROVEMENT RESOLUTION 6367-95,** Sub-Area Capital Improvement Package 94/A, Fairfield Avenue: West Jefferson to Brackenridge (CDBG);
Jim Owen moved approval of Improvement Resolution 6367-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors on February 3, 1995 and February 10, 1995 with bids received February 22, 1995.

7. **RESOLUTION** to hereby approve and adopt for use the attached "Policy and Procedure for Installation of Water Taps in Cul-De-Sac Streets";

   Tim Warren, Water Engineering Department, addressed the Board. He stated the Water Engineering Department was approached a number of years ago by several developers who were tired of having their streets tore up on water main taps. The Water Maintenance Department would go out and install a service tap to one or two lots and the repairs would not be made until the following year, which would be an asphalt patch on a concrete street. After that repair was made maybe another lot or two would sell off and the Water Maintenance Department would go back out and do the same thing. The City is spending anywhere from $1,000.00 to $2,000.00 dollars to replace the concrete each time a tap is made. The City and developers have worked together to come up with this policy which states that when a water line goes in through a cul-de-sac street, the City is requesting and requiring that the developer install those water services at the same time the water main goes in to locations that would be advantageous to serve those lots. This would eliminate the need for cutting the street and inconveniencing the people, and would be a cost savings to the City since we will not have to make the taps and repairs to those streets. Tim also stated that we have been doing this procedure on an informal basis for about the past year and the developers have no problem with this policy at this point.

Jim Owen inquired why wouldn't this policy be applicable to any new subdivision, since you still tear up streets in any new subdivision. Tim replied not necessary because right now with the placement of the main is within the park strip area so we are not tearing up the street or the sidewalk at this point in time. If the Water Maintenance Department is making a long tap across the street we will push the copper underneath the street to avoid damage to the street.
Jim Owen moved to table the Resolution to approve and adopt for use the "Policy and Procedure for Installation of Water Taps in Cul-De-Sac Streets" for two weeks. Motion carried. Resolution tabled for two weeks.

8. Change Order #1 and Final received from Robbco, Inc. for Contract 94-02, Water Maintenance Cuts Restoration decreasing the contract price by $18,765.59. Original contract price was $255,630.00;
Jim Owen moved approval of Change Order #1 and Final received from Robbco, Inc. for Contract 94-02 decreasing the contract price by $18,765.59. Motion carried. Copy on file.

9. Change Order #1 received from Key Concrete, Inc. for Resolution 6324-94, Fairmont Place Addition Phase IV decreasing the contract price by $6,305.05. Original contract price was $90,435.00;
Jim Owen moved approval of Change Order #1 and Final received from Key Concrete, Inc. for Resolution 6324-94 decreasing the contract price by $6,305.05. Motion carried. Copy on file.

10. Change Order #1 and Final received from Key Concrete, Inc. for Resolution 6352-94, Creighton-Home Neighborhood Improvements 1994 decreasing the contract price by $674.30. Original contract price was $117,189.50;
Jim Owen moved approval of Change Order #1 and Final received from Key Concrete, Inc. for Resolution 6352-94 decreasing the contract price by $674.30. Motion carried. Copy on file.

11. Change Order #1 and Final received from Brooks Construction Co., Inc. for Resolution 6328-94, Lynn Avenue Improvements: California to Florida decreasing the contract price by $720.00. Original contract price was $79,684.75;
Jim Owen moved approval of Change Order #1 and Final received from Brooks Construction Co., Inc. for Resolution 6328-94 decreasing the contract price by $720.00. Motion carried. Copy on file.

12. Contract 238-94 between T & F Construction Corp. of Indiana and the City of Fort Wayne for Westwood North Street Light Improvement in the amount of $18,404.85 (REVOLVING BARRETT LAW/CEDIT);
Jim Owen moved approval of Contract 238-94 between T & F Construction Corp. of Indiana and the City of Fort Wayne in the amount of $18,404.85. Motion carried. Notice to Proceed to be sent.

13. Sewer Contract 94-S-45 between Marsha Beatty and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Brookside Estates Sanitary Extension Lot 75 (PRIVATELY FUNDED);

Pat Callahan, WPC Engineering, stated that a request was made by Linda Buskirk, Chairman of the Board, to do some research on this contract. Due to a press conference this morning he is unable to speak to the engineer in charge of the project and does not have some answers for the Board. He requested that this Sewer Contract be tabled until a future date.
Jim Owen moved to table Sewer Contract 94-S-45. Motion carried. Sewer Contract 94-S-45 tabled until February 8, 1995.

14. Received from Street Light Engineering notification that a Neighborhood Request for Additional Street Lights in the Fourth District-Ellen Street at a cost of $2,600.00 will be constructed in 1995. (CEDIT NEIGHBORHOOD);
Jim Owen moved to acknowledge the notification from Street Light Engineering that a street light project on Ellen Street will be constructed in 1995. Motion carried. Forwarded to Street Light Engineering for their handling.

15. Received request from United Media Group for a Bus Hut to be placed on Tillman Road by the Community Harvest Food Bank. Traffic Engineering recommends approval;
Jim Owen moved approval of request from United Media Group for a Bus Hut to be placed on Tillman Road by the Community Harvest Food Bank. Motion carried. Traffic Engineering to notify United Media Group. Copy on file.

16. Received recommendation from WPC Engineering that various interceptor sewers be rated as having available capacity;

17. Received recommendation from WPC Engineering that various interceptor sewers be rated as having existing flows that exceed design capacity;

18. Received recommendation from WPC Engineering that various interceptor sewers be rated as experiencing significant overflows;
Jim Owen moved to consider Items #16, #17 and #18 together for discussion. Motion carried. Terrance McCaffrey moved to approve the recommendations from WPC Engineering on the rating of various interceptor sewers to be placed on the table.

Pat Callahan stated this is a follow up to a couple of things. About four weeks ago we had the issue paper on the capacity and in accepting that issue paper the Board in essence ordered the WPC Engineering Department to classify all the City's interceptors into three groups and bring those classifications back to the Board for approval. The recommendations the Board have now are the actual lists of interceptors in each classification.

Item #16 - giving the sewers this classification means the capacity is not an issue in determining whether people should be allow to tie into the sewer interceptors.

Item #17 - giving the sewers this classification means the existing flows do exceed the designed capacity but we do not have a serious overflow problem and that additional expansion or tie ins to these interceptors would be alright but we recognize there will be a future cost involved with building relief lines and anybody that ties into these should contribute to this future cost of providing capacity. The exact formula for determining that cost has not been determined. That will come up when we discuss the rates and fees.

Item #18 - giving the sewers this classification means these sewers have serious overflow problems and will be strictly controlled by the Board of Works as to what kind of tie ins are made to these sewers. The WPC Engineering Department recognizes there is a problem and is going to do something more with this classification than with the other two as far as review or restrictions to tie ins.

Once these recommendations are approved, maps will be made and distributed to the different planning departments and will also be available to the public so that anybody who has a project can come in and look at the map and have a good idea of what the sewer situation is where they are planning to build.

Jim Owen made the comment that the Board needs to recognize and provide some definitive measures to the nature of the problem. He also stated that the Board has to move very quickly now to try to rectify the situation.

Linda Buskirk acknowledged that the Board is in receipt of these policy recommendations and that the Board hold any action on them until the Board has time to gather more information. The Mayor will be asked how he would like to proceed and will be asked for more input as far as the future is concerned. A special session will be arranged for three weeks.

Pat Callahan added that one of the main reasons the WPC Engineering Department is going through all this, not only to the expansion, but there are a couple other topics we need to touch on too. Maintenance of existing systems and current laws, both are also very expensive and when looking at all of those it is alot more that what we can afford to take care right now. What the WPC Engineering is trying to do is get some policy so any spending can be prioritized and have all that in place for the time we go through the next CIP budget. At that point when projects come in you know exactly what they are and why we choose those project over other projects or delay other project. He believes that is the real important part.
Linda Buskirk moved to hold the recommendations until a future date. Motion carried. Recommendations held.

19. Response from WPC Engineering regarding petition received for sanitary sewer installation at 2900 block Freeman to Nuttman Avenue;

Tom Pallone of WPC Engineering stated that the recommendation from WPC Engineering is to advise property owners who signed the above petition that they could save time and money by proceeding on their own to work together to have the sanitary sewer mainline extension designed and constructed. They will have less overall cost to each of them and will have less overall cost to each of them and will be able to get connected to the existing sanitary sewer quicker than if the project proceeded with the Barrett Law procedures.
Jim Owen moved that WPC Engineering notify property owners on the above mentioned petition of their different options. Motion carried. WPC engineering to notify property owners.

20. Revolving Barrett Law claims approval in the amount of $34,959.90;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $34,959.90. Motion carried. Claims forwarded to Barrett Law Office for their handling. Copy on file.

21. Claims approval in the amount of $2,938,681.17;
Jim Owen moved approval of Claims in the amount of $2,938,681.17. Motion carried. Claims forwarded to General Accounting for their handling. Copy on file.

22. Taxi Cab License Applicant Roland W. Dever;
Jim Owen moved approval of Taxi Cab License Applicant Roland W. Dever. Motion carried. License to be issued.

23. Taxi Cab License Applicant Teresa W. Sweat;
Jim Owen moved approval of Taxi Cab License Applicant Teresa W. Sweat. Motion carried. License to be issued.

24. Old Business;

Linda Buskirk stated next weeks Board of Public Works meeting has been set up to begin at 8:00 a.m. to take into account the Malcom-Pernie discussion of the bench marks for the Water Utility.

Jim Owen inquired about information received from Terry Atherton in mid January and wondered if it pertained to the presentation at the next Board meeting. Terry Atherton stated it was an information copy of a proposal that Jones and Henry have made regarding the training at the WPC Plant. This will be discussed at a later date.

Jim stated the Board received a letter this morning from Mark Vincent and asked when this issue will be presented to the Board. Pat Callahan stated Mr. Vincent has not started the formal routing process and he is several months away for being able to start any kind of construction. Mr. Vincent will be notified that he will be heard at the February 22, 1995 meeting.

25. New Business;

None.

Meeting adjourned at 10:05 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J Crick
Patricia J. Crick, Clerk

February 1, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, BOW; Pat Callahan and Ray Wigfield, WPC Engineering.

1. Sewer Easement Resolution 212-1994 - Condemnation of Permanent and Temporary Easement Haffner Drive Sanitary Sewer Extension

   Pat Callahan stated an assessment roll was prepared and sent out to the property owners. In confirming the assessment roll, there will be zero excess benefits, zero damages, zero cost involved with this project. At a public hearing held earlier the property owners challenged the assessment roll. If the assessment roll is confirmed, the property owners have 20 days in which to file an appeal of the Boards decision with the court. If no appeal is filed, the condemnation is completed in 20 days without future action.
   Linda Buskirk moved confirmation of the assessment for damages and benefits to the property owners as they were notified for Resolution 212-1994. Motion carried. Assessment confirmed.

Meeting adjourned at 10:45 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: All Members, Clerk, BOW; Vic Bobay, Street Engineering, Betsy Meyer, Barrett Law Department

1. Notice of Assessment - Resolution 6297-93, Dodge Avenue - N. Anthony to Woodward - Phase I, replacement of curbs, driveway approaches, sub-surface drainage and street reconstruction.
   Jim Owen moved to confirm Assessment Roll for Resolution 6297-93. Motion carried. Assessment Roll to be forwarded to the Department of Finance.

Meeting adjourned at 11:30 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 8, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 8:00 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, BOW; Terry Atherton, Utility Administration; Pat Callahan, WPC Engineering; Mike Thornsen, Stormwater Engineering; Tim Warren, Water Engineering; Doug Pooler, Chet Shastri & Kristine Coak, Filtration Plant; Mary Jane Slaton, Public Information Office; Sandy Maldeney, Property Manager; Steve Martin, City Utilities Accounting, Walter Jordan & Charles Bailey, Contract Compliance; Jim Riemke, Street Light Engineering.

1. Richard S. Erhardt, Doug Owen, Mark Ware and Jack Cain of Malcolm Pirnie, Inc., Environmental Engineers, Scientists and Planners, outlined their study of the chemical usage process at the Filtration Plant and explained proposals for options for cost savings and improved water quality as outlined below:

I. OPTIONS FOR COST SAVINGS

(A) Lime

Strategy: Recycle sludge
Use Polymers
$60,000 annual savings

(B) Sodium Chlorite

Strategy: Replace chlorine dioxide with chlorine as primary disinfection. Do this by baffling the clear well.
$360,000 annual savings

(C) Powdered Activated Carbon

Strategy: Change the feed point to the most effective location, look for optimal dosage, and change bid specifications to include performance criteria.
$90,000 annual savings

II. OPTIONS FOR IMPROVED WATER QUALITY

(A) Disinfection

1. Changing to chlorine from chlorine dioxide

(B) Particle Removal

1. Change where certain treatments occur
2. Improve recarbonation facilities. These remove particles and organics, improve sludge quality so it can better be recycled.

(C) Plant Upgrades

1. Several steps to improve filter performance, chemical dosing to improve taste & odor.
Total cost $4.2 - $4.9 million

III. CONCLUSIONS

(A) Plant is in overall good shape.
(B) Chemical costs can be controlled.
(C) Opportunties exist for improved water quality with associated costs.

A written report will be presented to the Board in the near future.

2. Acknowledgement of receipt of Statements of Qualifications for Removal of and Installation of Underground Storage Tanks;

   Statements of Qualifications for Removal of and Installation of Underground Storage Tanks were received from the following:

   Central Environmental Contractors Inc.
   Crosby Excavating, Inc.
   Ecology Services, Inc.
   Environmental Remediation Services, Inc.
   Gasoline Equipment Service Co., Inc.
   Liberty Construction, Inc.
   Specialty Conveyance Services, Inc.
   T-G Incorporated.
   Jim Owen moved to acknowledge receipt of Statements of Qualifications for Removal of and Installation of Underground Storage Tanks from the above companies. Motion carried. A. J. Dodzik, Consultant to review and make recommendation.

3. Approval of Board Minutes of January 25, 1995;
   Jim Owen moved approval of Board Minutes of January 25, 1995. Motion carried. Board Minutes of January 25, 1995 approved as printed and distributed.

4. Approval of Board Minutes of February 1, 1995;
   Jim Owen moved approval of Board Minutes of Febuary 1, 1995. Motion carried. Board Minutes of February 1, 1995 approved as printed and distributed.

5. Approval of Public Hearing Minutes of February 1, 1995 for Resolution 212-1994, Condemnation of Permanent and Temporary Easement - Haffner Drive Sanitary Sewer Extension;
   Jim Owen moved approval of Public Hearing Minutes of February 1, 1995 for Resolution 212-1994. Motion carried. Public Hearing Minutes of February 1, 1995 approved as printed and distributed.

6. Approval of Public Hearing Minutes of February 1, 1995 for Resolution 6297-93, Dodge Avenue - N. Anthony to Woodward - Phase I;
   Jim Owen moved approval of Public Hearing Minutes of February 1, 1995 for Resolution 6297-93. Motion carried. Public Hearing Minutes of February 1, 1995 approved as printed and distributed.

7. Sewer Contract 94-S-45 between Marsha Beatty and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Brookside Estates Sanitary Extension Lot 75 (PRIVATELY FUNDED) TABLED FROM LAST WEEK;
   Jim Owen moved approval of Sewer Contract 94-S-45 between Marsha Beatty and and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $20,444.29. The write off is for the month of August, 1994;
   Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $20,444.29. Motion carried. City Utilities to write off delinquent accounts.

9. Received recommendation from Water Engineering to accept for future maintenance the work performed on Contract 94-02, Restoration of Water Maintenance Utility Cuts;
   Jim Owen moved to accept for future maintenance the work performed on Contract 94-02. Motion carried. Acceptance letter to be sent.

10. Received recommendation from Street Light Engineering to accept the work performed on Westwood North Section IV Street Lights as an integral part of the City's street light system;
    Jim Owen moved to accept the work performed on Westwood North Section IV Street Lights as an integral part of the City's street light system. Motion carried. Acceptance letter to be sent.

11. **IMPROVEMENT RESOLUTION 6359-94,** 1994 Miscellaneous Construction Package #4, replacement of walks and drive approaches(CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
    Jim Owen moved approval of Improvement Resolution 6359-94. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 2/10 and 2/27/95 with date to receive bids on March 1, 1995.

12. Revolving Barrett Law claims approval in the amount of $10,208,327.72;
Jim Owen moved approval of Revolving Barrett law claims in the amount of $10,288,327.72. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.

13. Claims approval in the amount of $10,208,327.72;
Jim Owen moved approval of claims in the amount of $10,208,327.72. Motion carried. Claims forwarded to General Accounting for their handling.

14. Taxi Cab License Applicant Michael J. Hambrock;
Jim Owen moved approval of Taxi Cab License Applicant Michael J. Hambrock. Motion carried. License to be issued.

Meeting adjourned at 10:25 a.m.

Linda Buskirk, Director

Jim Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 8, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, BOW; Betsy Meyer, Barrett Law; Rich Romary & Tom Jones, Street Engineering.

1. Notice to Property Owners - Resolution 6364-95, Beaver Avenue Improvements: Cottage Ave. to Wildwood Avenue, reconstruction of existing sidewalks, yardwalks, driveway approaches, corner wingwalks and alley approaches.
Jim Owen moved to confirm Resolution 6364-95. Motion carried. Remonstrance period up on February 20, 1995.

Hearing adjourned at 10:35 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: All Members & Clerk, BOW; Betsy Meyer, Barrett Law; Rich Romary & Tom Jones, Street Engineering.

1. Notice of Assessment - Resolution 6307-93, 1200 block Huffman Street, replacement of curbs and yardwalks from Franklin Avenue West to Alley. **Jim Owen moved to confirm Assessment Roll for Resolution 6307-93. Motion carried. Assessment Roll to be forwarded to the Department of Finance.**

Hearing adjourned at 11:15 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 15, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, Ann Smith, Carolyn Newport, BOW; Walter Jordan & Charles Bailey, Contract Compliance; Tom Jones & Kevin Okleshen, Street Engineering; Kristine Coak, Chet Shastri & Doug Pooler, Filtration Plant; Terry Atherton & Deb Farrell, Utility Administration; Steve Martin, City Utilities Accounting; David Ross, City Engineer; Tim Warren, Water Resources; Rick Orr, Finance Manager; Mary Jane Slaton, Public Information Office; Mike Hicks, Pat Callahan, Marion Robinson and Tom Pallone, WPC Engineering; Gregg Meszaros, GIS. Linda Buskirk, absent.

1. **RECEIVE BIDS** - Resolution 527-1994, St. Joseph River Erosion Control Project (SEWER UTILITY).

Bercot, Inc.	114,835.00
Fleming Excavating	95,542.50
Land, Inc.	188,830.00
T & G Inc.	87,000.00
Eng. Est.	$102,000.00

WPC Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6365-95, Rudisill Blvd. Improvements - Smith St. to Anthony Blvd. (CEDIT BOND)

Brooks Const.	222,737.72
S. E. Johnson Cos.	256,350.44
Wayne Asphalt	204,319.88
Eng. Est.	$247,418.50

Bonar & Associates to tabulate and report.

3. Approval of Board Minutes of February 8, 1995;
Terrance McCaffrey moved approval of Board Minutes of February 8, 1995. Motion carried. Board Minutes of February 8, 1995 approved as printed and distributed.

4. Approval of Public Hearing Minutes of February 8, 1995 for Improvement Resolution 6364-95, Beaver Avenue Improvements;
Terrance McCaffrey moved approval of Public Hearing Minutes of February 8, 1995 for Improvement Resolution 6364-95. Motion carried. Public Hearing Minutes of February 8, 1994 for Improvement Resolution 6364-95 approved as printed and distributed.

5. Approval of Public Hearing Minutes of February 8, 1995 for Improvement Resolution 6307-93, Huffman Street South Side 1203-1213;
Terrance McCaffrey moved approval of Public Hearing Minutes of February 8, 1995 for Improvement Resolution 6307-93. Motion carried. Public Hearing Minutes of February 8, 1994 for Improvement Resolution 6307-93 approved as printed and distributed.

6. Received recommendation from Water Engineering to accept the work performed on Contract 94-W-01, Filtration Plant, Repairs to Plant #1, Clarification Tank project (WATER UTILITY);
Terrance McCaffrey moved to accept the work performed on Contract 94-W-01. Motion carried. Acceptance letter to be sent.

7. Received Authorization for Final Release of Escrow from Indiana Construction Corp. for Contract 94-W-01, Filtration Plant, Repairs to Plant #1 Clarification Tank project in the amount of $5,625.00. Escrow agent is Fort Wayne National Bank (WATER UTILITY);
Terrance McCaffrey moved approval of Authorization for Final Release of Escrow from Indiana Construction Corp. for Contract 94-W-01 in the amount of $5,625.00. Motion carried. Release of Escrow to be sent to Escrow agent Fort Wayne National Bank.

8. Received Authorization for Final Release of Escrow from Robbco, Inc. for Contract 94-02, Restoration of Water Maintenance Utility Cuts in the amount of $11,843.22. Escrow agent is Ossian State Bank (WATER UTILITY);
Terrance McCaffrey moved approval of Authorization for Final Release of Escrow from Robbco, Inc. for Contract 94-02 in the amount of $11,843.22. Motion carried. Release of Escrow to be sent to Ossian State Bank.

9. Sewer Contract 95-S-2 between Investment Builders, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Stonefield Addition Section I Phase 3 (PRIVATELY FUNDED);
Terrance McCaffrey moved approval of Sewer Contract 95-S-2 between Investment Builders and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

10. Received from American Diabetes Association request for Waiver of Barricade Fees for Walktoberfest to be held on Sunday, October 1, 1995, beginning and ending at Johnny Appleseed Park area and closing off Harry Baals Drive from 7 a.m. to 3 p.m.;
Terrance McCaffrey moved approval of request from American Diabetes Associates request for Waiver of Barricade Fees for Walktoberfest to be held on Sunday, October 1, 1995. Motion carried. Fees to be waived.

11. Received from Martin Enterprises, Inc. request for Waiver of Barricade Fees during the demolition of St. Mary's Church beginning February 27, 1995;
Terrance McCaffrey moved approval of request from Martin Enterprises, Inc. for Waiver of Barricade Fees during the demolition of St. Mary's Church beginning February 27, 1995. Tom Jones, Street Engineering stated he would like agenda item #11 to read that request for Waiver of Barricade Fees was received from St. Mary's Church rather than from Martin Enterprises, Inc. and that he would provide documentation. Jim Owen moved to accept the amendment from the floor. Motion carried. Jim Owen then called for the motion to waive the Barricade Fees on the project site at St. Mary's Church. Motion carried. Fees to be waived.

12. **RESOLUTION** for St. Mary's Service Area Adjustment of Area Connection Fees based upon Consumer Price Index;
Terrance McCaffrey moved approval of Resolution for St. Mary's Service Area Adjustment of Area Connection Fees based upon Consumer Price Index. Motion carried. Copy herein incorporated.

13. **RESOLUTION** for St. Joe Service Area Adjustment of Area Connection Fees based upon Consumer Price Index;
Terrance McCaffrey moved approval of Resolution for St. Joe Service Area Adjustment of Area Connection Fees based upon Consumer Price Index. Motion carried. Copy herein incorporated.

14. **RESOLUTION** for Spy Run Service Area Adjustment of Area Connection Fees based upon Consumer Price Index;
Terrance McCaffrey moved approval of Resolution for Spy Run Service Area Adjustment of Area Connection Fees based upon Consumer Price Index. Motion carried. Copy herein incorporated.

15. **RESOLUTION** for Junk Ditch Service Area Adjustment of Area Connection Fees based upon Consumer Price Index;
Terrance McCaffrey moved approval of Resolution for Junk Ditch Service Area Adjustment of Area Connection Fees based upon Consumer Price Index. Motion carried. Copy herein incorporated.

16. **RESOLUTION** for North Maumee Service Area Adjustment of Area Connection Fees based upon Consumer Price Index;
Terrance McCaffrey moved approval of Resolution for North Maumee Service Area Adjustment of Area Connection Fees based upon Consumer Price Index. Motion carried. Copy herein incorporated.

17. **RESOLUTION** for Southwest Service Area Adjustment of Area Connection Fees based upon Consumer Price Index;
Terrance P. McCaffrey moved approval of Resolution for Southwest Service Area Adjustment of Area Connection Fees based upon Consumer Price Index. Motion carried. Copy herein incorporated.

18. **RESOLUTION** for approval and adoption of the "Policy and Procedure for Installation of Water Taps in Cul-de-Sac Streets";

Terrance McCaffrey moved approval of Resolution for approval and adoption of the "Policy and Procedure for Installation of Water Taps in Cul-de-Sac Streets". Motion carried. Copy on file.

19. Agreement between the City of Fort Wayne and A. J. Dodzik to provide professional engineering services for CBD Curb Ramps: Phase III Project. Ramps shall be designed for 14 intersections to comply with the Americans with Disabilities Act. A lump sum fee of $4,900.00 plus reimbursable expenses shall be paid for services. Project is being funded through the CEDIT At-Large account. City Engineering recommends approval;
Terrance McCaffrey moved approval of Agreement between the City of Fort Wayne and A. J. Dodzik to provide professional engineering services for CBD Curb Ramps: Phase III Project. Motion carried. Copy on file in vault.

20. Agreement between the City of Fort Wayne and A. J. Dodzik for engineering services to design improvements for Robinwood Dr.: Rudisill Blvd. to Oxford Street. Proposed improvements include: curb reconstruction, surface milling, resurfacing and curb ramps. A lump sum fee of $7,500.00 will be charged for services. Project is funded through CEDIT Neighborhood account. City Engineering recommends approval;
Terrance McCaffrey moved approval of Agreement between the City of Fort Wayne and A. J. Dodzik for engineering services to design improvements for Robinwood Dr.: Rudisill Blvd. to Oxford Street. Motion carried. Copy on file in vault.

21. Agreement between the City of Fort Wayne and Bonar & Associates for engineering services to design improvements (sidewalk reconstruction and ornamental street lighting) on E. State Blvd.: Kentucky Avenue to Florida Blvd. Fee for engineering services will be charged on hourly basis with a not-to-exceed amount of $12,800.00. Project will be funded through CEDIT BOND and BARRETT LAW. City Engineering recommends approval;
Terry McCaffrey moved approval of Agreement between the City of Fort Wayne and Bonar & Associates for engineering services to design improvements on E. State Blvd.: Kentucky Avenue to Florida Blvd. Motion carried. Copy on file in vault.

22. Agreement between the Allen County Board of Commissioners (COUNTY) and the City of Fort Wayne Board Public Works (CITY) to work together in the acquisition of right-of-way for the Maplecrest Road Reconstruction Project. The County shall retain consultant to provide right-of-way engineering services. Cost of services shall be funded 80% Federal, 20% Local (County & City). The County's share of the local portion of the cost shall be 17% and the City's share shall be 83%. The City's share shall be funded through the CEDIT BOND (approximately $35,500). City Engineering recommends approval;
Terry McCaffrey moved approval of Agreement between the Allen County Board of Commissioners (County) and the City of Fort Wayne Board of Public Works (CITY). Motion carried. Copy on file in vault.

23. Received Special Street Permit from Fox Contractors Corp. to construct the following streets in Stonefield Phase 3 Section 1:

Bradfield Drive
Stonefield Drive
Terry McCaffrey moved approval of Special Street Permit from Fox Contractors Corp. to construct the above streets in Stonefield Phase 3 Section 1. Motion carried. Copy on file.

24. Water Contract 9502 between Investment Builders Inc. and the Fort Wayne Water Utility to construct water main systems to serve Stonefield Section I, Phase III (PRIVATELY FUNDED);
Terry McCaffrey moved approval of Water Contract 9502 between Investment Builders Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

25. Auto Liability and General Liability Claims in the amount of $50,391.83 per City Ordinance G-18-89;
Terry McCaffrey moved approval of Auto Liability and General Liability Claims in the amount of $50,391.83. Motion carried. Claims to be forwarded to Risk Management for their handling.

26. Discussion of McBeth Road Landfill request for sewer connection;

Pat Callahan of WPC Engineering addressed the Board. He stated that the McBeth Road Landfill was collecting leachate which they wanted to send to the Water Filtration Plant for treatment. WPC Engineering gave permission to pump the leachate into the City sewer system since the owners of the McBeth Road Landfill have agreed to put a sensor in one of our downstream manholes to determine if the sewer system is overloaded. The sensor will hold all the leachate on site until such time as our sewer line gets back to normal and then it will turn the lift station on. Previously, their option was to haul the leachate to the Treatment Plant instead of using the pipeline.

27. Revolving Barrett Law claims approval in the amount of $6,875.59;
Terrance McCaffrey moved approval of Revolving Barrett Law claims approval in the amount of $6,875.59. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for their handling.

28. Claims approval in the amount of $18,805,618.60;
Terrance McCaffrey moved approval of Claims in the amount of $18,805,618.60. Motion carried. Claims forwarded to General Accounting for their handling.

29. Taxi Cab License Renewal for Timothy C. Carr;
Terrance McCaffrey moved approval of Taxi Cab License Renewal for Timothy C. Carr. Motion carried. License to be renewed.

30. Old Business:

Terry Atherton of Utility Administration gave an update on the status of City Utilities working towards completion of the City Utilities Citizen's Advisory Committee recommendations from last fall. He passed out a summary of those recommendations.

Terry stated that members of the CUCAC decided to focus on six specific issues from the VISTA report that addressed a variety of topics having to do with cost and operating efficiencies of City Utilities. He talked briefly on the following recommendations.

I. COST SAVINGS AND FUTURE EFFICIENCIES

Doug Pooler is to elaborate on this recommendation.

II. INCREASE THE SIZE OF THE BOARD OF WORKS FROM THREE TO FIVE

Jim Owen stated legislation for the above passed the House yesterday and goes to the Senate on this date.

III. REMOVE WATER UTILITY FROM JURISDICTION OF THE IURC

Terry stated City Council passed an ordinance the previous evening to remove the Water Utility from jurisdiction of the IURC unless 500 signatures are gathered in 60 days to place a referendum on the May 2 primary ballot. If that happens, voters will decide whether the water utility should be out of IURC control.

IV. DEVELOP SEPARATE CONTRACTS FOR EMPLOYEES WORKING FOR THE CIVIL CITY AND FOR THE DIVISION OF UTILITIES.

Terry stated the separation of Utility employees into two bargaining units would give more flexibility to use the work force. An ordinance passed Council last evening and will be put into place with upcoming negotiations.

V. ELIMINATE NEGATIVE CASH POSITION OF THE WATER UTILITY.

Terry stated the recent increase in water rates and keeping expenses to the budgeted amount will assist to eliminate the negative cash position. This should restore bond coverage by the end of 1996.

VI. DEVELOP A PUBLIC-PRIVATE PARTNERSHIP FOR REMOVAL AND REUSE OF BIOSOLIDS

Terry stated Council authorized staff to proceed with "Requests for Qualifications" as the first step in exploring the feasibility of contracting for private operation of the City's Sludge facility. Seven "Requests for Qualifications" have been received. A committee is being formed to evaluate the "RFQ's" and then the Utilities staff will send "Request for Proposals".

Doug Pooler of the Filtration Plant then elaborated on Recommendation #1 which is to permit the current management structure to attempt to achieve efficiencies through internal decisions, without, at the present time, seeking a private contractor for operations and maintenance of the Plant. If current management fails to reach specified benchmarks, privatize the operation and maintenance of the Filtration Plant.

Doug stated that in 1989 EMA Services Inc. was contracted to perform a comprehensive study of methods and practices at the Filtration and to develop a Master Plan for automation of the operation. Certain elements of this master plan have been completed, others are in process, and the remaining items are scheduled for implementation over the next four years. These projects will allow the incremental reduction of staff from 68 people down to 42 people in 1998 or a total reduction of 25 (37%). Full reductions are dependent upon successful completion of automation projects. Listed below are the major programs, remaining investments, and their status.

PUMP STATIONS AND TELEMETRY (Distribution System) - Completed in 1992.

MAINTENANCE SYSTEM - In place, full implementation in early 1995. Cost $47,000

LIMS (Laboratory Information System) - in progress, completion in early 1995. Cost $143,000

PUMP CONTROL SYSTEM - In process, scheduled for completion mid-1995. Cost 213,000

RESERVOIR/DAM TELEMETRY AND CONTROLS - Scheduled for late 1995 to early 1995. Cost $299,000

FILTER CONTROL SYSTEM - Scheduled in 4 phases from 1995 to 1998. Cost $695.000

CHEMICAL CONTROL SYSTEM - Scheduled for 1996-97.
Cost $420,000

OFFICE INFORMATION SYSTEM - To be scheduled in 1997-98
Cost $185,000

Doug also discussed the cost saving recommendations on chemical usage from the Malcolm Pirnie Environmental Engineers, Scientists, and Planners. He stated that a main concern was maintaining the quality of water that Fort Wayne residents are used to and implementing cost savings at the same time.

31. New Business:

None.

Terrance McCaffrey moved to adjourn the Board Meeting. Motion carried.

Meeting adjourned at 10:20 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 15, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, BOW; Jeff Grogg, Street Engineering; Betsy Meyer, Barrett Law Office. Linda Buskirk, absent.

1. Public Hearing to Confirm Resolution - Resolution 6363-95, Cottage Avenue Improvements: South Wayne Avenue to Indiana Avenue, curbs, sidewalks, yardwalks and corner wingwalks as needed. **Terrance McCaffrey moved to confirm Resolution 6363-95. Motion carried. Remonstrance period to be up on February 27, 1995.**

Hearing adjourned at 10:37 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

Present: C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, BOW; Rich Romary & Tom Jones, Street Engineering: Betsy Meyer, Barrett Law. Linda Buskirk, absent.

1. Confirm Assessment Roll - Improvement Resolution 6304-93, Miscellaneous Concrete Repairs - Package 1, sidewalks, drives and/or curbing. **Terrance P. McCaffrey moved to confirm Assessment Roll for Improvement Resolution 6304-93. Motion carried. Assessment Roll forwarded to the Department of Finance.**

Hearing adjourned at 11:05 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 22, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Mary Jane Slaton, Public Information Office; Bryan White & Wayne O'Brien, C&ED; Steve Martin, City Utilities Accounting; Denny Root & Tom Jones, Street Engineering; Rick Orr, Finance Manager; Walter Jordan & Charles Bailey, Contract Compliance; David Ross, City Engineer; Sandy Maldeney, Property Manager; Mike Hicks & Pat Callahan, WPC Engineering; Mary Louise Majewski, Science Central; Mark Vincent, Vincent's Wash-n-Go; Paul Wilson, Park Center, Inc.

1. **RECEIVE BIDS** - Resolution 6350-94, Dodge Ave.: Woodward to Carew Street Phase II (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Const.	172,422.00
Dehner Const.	191,277.75
Wayne Asphalt	175,715.50
Eng. Est.	$171,798.85

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6367-95, Sub-Area Capital Improvement Package 94/A Fairfield Avenue from West Jefferson to Brackenridge (CDBG)

Brooks Const.	88,967.71
Dehner Const.	80,313.75
Key Concrete Inc.	67,638.50
Mergy Const.	64,922.50
Eng. Est.	$69,523.00

Street Engineering to tabulate and report.

3. AWARD: Resolution 527-1994, St. Joseph River Erosion Control Project to T-G Inc. in the amount of $87,000.00 (SEWER UTILITY);
Jim Owen moved approval of Award for Resolution 527-1994 to T-G Inc. in the amount of $87,000.00. Motion carried. Notice of Award to be sent. WPC Engineering to prepare contracts.

4. AWARD: Improvement Resolution 6365-95, Rudisill Blvd. Improvements: Smith Street to Anthony Blvd. to Wayne Asphalt & Construction Company, Inc. in the amount of $204,319.88 (CEDIT BOND);
Jim Owen moved approval of Award for Resolution 6365-95 to Wayne Asphalt & Construction Company, Inc. in the amount of $204,319.88. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

5. Approval of Board Minutes of February 15, 1995;
Jim Owen moved approval of Board Minutes of February 15, 1995. Motion carried. Minutes approved as printed and distributed.

6. Approval of Public Hearing Minutes of February 15, 1995 for Improvement Resolution 6363-95, Cottage Avenue Improvements: South Wayne Avenue to Indiana Avenue (CEDIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of Public Hearing Minutes of February 15, 1995 for Improvement Resolution 6363-95. Motion carried. Minutes approved as printed and distributed.

7. Approval of Public Hearing Minutes of February 15, 1995 for Improvement Resolution 6304-95, Miscellaneous Concrete Repairs Package (COIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of Public Hearing Minutes of February 15, 1995 for Improvement Resolution 6304-95. Motion carried. Minutes approved as printed and distributed.

8. Sewer Contract 94-S-25 between Sturges, Griffin, Trent & Company and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Gateway Plaza Out Parcel Sanitary Extension (PRIVATELY FUNDED);

Jim Owen moved approval of Sewer Contract 94-S-25 between Sturges, Griffin, Trent & Company and the Fort Wayne Water Pollution Utility. Motion carried. Copy on file.

9. Sewer Contract 95-S-1 between Vince and Sheila Stone, Norman and Maxine Hartman and David and Susan McNutt and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Manor Park Drive Sanitary Sewer (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 95-S-1 between Vince and Sheila Stone, Norman and Maxine Hartman and David and Susan McNutt and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

10. Agreement between the City of Fort Wayne and Bonar & Associates for professional engineering services to make improvements to Vesey Avenue levee from Bluffton Road to Gruber Avenue at a cost of $14,500.00 (CDBG);
Jim Owen moved approval of Agreement between the City of Fort Wayne and Bonar & Associates for professional engineering services to make improvements to Vesey Avenue levee from Bluffton Road to Gruber Avenue. Motion carried. Copy on file in vault.

11. Agreement between the City of Fort Wayne and Gensic & Associates for professional engineering services to develop improvements on Bowser Avenue: from Baxter Street to Rudisill Blvd.; and Lillie Street from McKinnie Avenue to Baxter Street. Proposed improvements include: surface milling, pavement resurfacing, spot curb reconstruction, new curb ramps, concrete pavement patching and crack sealing. Fee for engineering services is $5,100.00. Project will be funded through CEDIT Neighborhood. City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City of Fort Wayne and Gensic & Associates for professional engineering services to develop improvements on Bowser Avenue: from Baxter Street to Rudisill Blvd.; and Lillie Street from McKinnie Avenue to Baxter Street. Motion carried. Copy on file in vault.

12. Agreement between the City of Fort Wayne and Gensic & Associates for professional engineering services to develop improvements on Gaywood Drive: from Fairfax Avenue to Pettit Avenue and from Wilson Drive to Fairfax Avenue. Proposed improvements include: pavement, sidewalk and curb reconstructing and new curb ramps. Fee for engineering services is $5,100.00. Project will be funded through CEDIT Neighborhood. City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City of Fort Wayne and Gensic & Associates for professional engineering services to develop improvements on Gaywood Drive: from Fairfax Avenue to Pettit Avenue and from Wilson Drive to Fairfax Avenue. Motion carried. Copy on file in vault.

13. Received recommendation from WPC Engineering to accept the work performed on Sewer Contract 94-S-31, Lake Avenue Sanitary Sewer at Maplecrest as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept the work performed on Sewer Contract 94-S-31. Motion carried. Acceptance letter to be sent.

14. Change Order #3 and Final received from Brooks Construction Co., Inc. for Resolution 6333-94, Coldwater Road: Coliseum to Collins Road decreasing the contract price by $14,620.20. Original contract price was $309,556.89;
Jim Owen moved approval of Change Order #3 and Final received from Brooks Construction Co., Inc. for Resolution 6333-94 decreasing the contract price by $14,620.20. Motion carried. Copy on file.

15. **IMPROVEMENT RESOLUTION 6368-95,** aluminum storefront and replacement windows for Science Central Building located at 1950 North Clinton. Project will be funded through CEDIT Council-At-Large Funds;

Mary Louise Majewski, Science Central President, gave a brief explanation about the proposed science museum. This museum is to be housed in the former City Light & Power Plant which the City owns and leases to Science Central for $1.00 a year. The City has offered to provide $350,000 CEDIT Council-At-Large Funds for new, energy-efficient aluminum windows.
Jim Owen moved approval of Improvement Resolution 6368-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 2/24/95 & 3/3/95 with date to receive bids on 3/15/95.

16. Received recommendation from City Property Manager to accept the EXTENSION TO LEASE by and between KLEBER AND KLEBER, an Indiana General Partnership d/b/a TK ENTERPRISES AND CITY OF FORT WAYNE, DEPARTMENT OF NEIGHBORHOOD CODE ENFORCEMENT for office space located at 315 East Washington Blvd.;

    Sandy Maldeney, Property Manager, stated that the above lease is extended for one year. The Department of Neighborhood Code Enforcement is eventually going to be moving into the Franklin Junior High School Building, as soon as the Department of Defense approves the City's plans for that building. The lease with Kleber & Kleber allows the City to move in six months.
    Jim Owen moved to approve recommendation from City Property Manager to accept the EXTENSION TO LEASE by and between KLEBER AND KLEBER, an Indiana Partnership d/b/a TK ENTERPRISES AND CITY OF FORT WAYNE, DEPARTMENT OF NEIGHBORHOOD CODE ENFORCEMENT. Motion carried. Copy on file.

17. Received request from Park Center, Inc. for a letter from the City to HUD stating that City Utilities services will be available if it constructs a 15 unit apartment building on the northeast corner of Decatur Road and Woodside Avenue (7227 Decatur Road);
    Jim Owen moved approval of the request from Park Center, Inc. for a letter to be sent from the City to HUD stating that services will be available if they construct a 15 unit apartment building on the northeast corner of Decatur Road and Woodside Avenue (7227 Decatur Road).

    Paul Wilson of Park Center, Inc. then addressed the Board. He stated that Park Center has received funding from HUD for a $833,000 project at a 3 acre site for a one story apartment building to house the disabled. HUD's process requires that Park Center provide letters from local utilities, stating that services will be available to this project.

    Pat Callahan of WPC Engineering suggested that time limits should be set and the letter to be sent should state that there is interceptor capacity available within those time limits.

    Paul Wilson stated that the option from Hud runs out in October of this year. Closing will be around July and construction will begin immediately.
    Linda Buskirk moved to amend the motion to read approval of the request providing construction starts within a year and be completed within two years. Linda called for the motion on the amendment. Motion carried. Terrance McCaffrey abstained. A vote was called on the original motion with the amendment. Motion carried. Terrance McCaffrey abstained. Letter to be sent.

18. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $243.98;
    Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $253.98. Motion carried. Write off for City Utilities delinquent accounts to be forwarded to City Utilities Accounting for handling.

19. Request received from Vincent's Wash-N-Go to tap into the sanitary sewer system in Stellhorn Village (THIS ITEM WAS TABLED FEBRUARY 8, 1995);
    Jim Owen moved for consideration the request from Vincent's Wash-N-Go to tap into the sanitary sewer system in Stellhorn Village. Motion carried.

    Pat Callahan of WPC Engineering stated that it is the recommendation from WPC Engineering not to approve the above request. He also stated the activity in that area would indicate that approximately 15 or 20 more situations like this might exist.

    David Ross stated that the Plan Commission does not check on capacity for sewers when areas are zoned but only land use functions.

    Wayne O'Brien of Zoning stated that before his department meets with developers, they do a preliminary analysis of the site so they can be aware of the utility problems and alert the developers to work with the engineering departments to try to establish what problems exist. Occasionally, there are developers that work with private engineering firms or real estate agents before they get involved with City departments.

Mark Vincent volunteered to make an agreement with the City to close the car wash when it rains and not open until advised by City that the water has receded. He also stated that he will advise Chuck McLaughlin, a developer who is proposing to develop 13 acres in that area, of the drainage problem.

Pat Callahan suggested that Mark Vincent install a sensor in one of the downstream manholes to determine if the sewer system is overloaded. Mark Vincent agreed to do so.
Linda Buskirk moved approval of sewer tap-in by Vincent's Wash-n-Go Car Wash with the contingency that Vincent's Wash & Go does not discharge into the sewer when it is overloaded. Motion carried. Request approved.

20. Approval of list of contractors who are qualified to bid on Underground Storage Tank installation and/or removal. Consulting Engineer A. J. Dodzik recommends approval of this list, based on his review of responses to the City's Request for Qualifications for the UST removal and replacement project. They are listed below:

	UST Removal Only	UST Removal & Installation
Central Environmental Contractors, Inc.		X
Crosby Excavating, Inc.		X
Ecology Services, Inc.		X
Environmental Remediation Services, Inc.	X	
Liberty Construction, Inc.		X
Gasoline Equipment		X
Specialty Conveyance Services, Inc.	X	
T-G, Inc.	X	

Jim Owen moved to approve the list of contractors who are qualified to bid on Underground Storage Tank Installation/Removal. Motion carried. Contractors to be notified.

21. Revolving Barrett Law claims approval in the amount of $303.69.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $303.69. Motion carried. Revolving Barrett Law claims to be forwarded to the Barrett Law Office for handling.

22. Claims approval in the amount of $8,918,570.16.
Jim Owen moved approval of claims in the amount of $8,918,578.16. Motion carried. Claims to be forwarded to General Accounting for their handling.

23. Taxi Cab License Renewal Gary D. Feldheiser;
Jim Owen moved approval of Taxi Cab License Renewal Gary D. Feldheiser. Motion carried. License to be renewed.

24. Taxi Cab License Renewal John H. Martin;
Jim Owen moved approval of Taxi Cab License Renewal John H. Martin. Motion carried. License to be renewed.

25. Taxi Cab License Renewal Timothy A. Stults;
Jim Owen moved approval of Taxi Cab License Renewal Timothy A. Stults. Motion carried. License to be renewed.

26. Old Business:

Jim Owen had two items for discussion.

I. Communication signals between engineering & planning, so planners are aware of utility service problems.
II. Board to be alerted of backlog of zoning or site development in the red zone as shown on the displayed map.

Wayne O'Brien of Zoning stated there are a couple of projects that are in the red zone, but the developers are working with engineering and will probably have to wait until such time as the situation is rectified. He stated if they know of a certain problem in an area they do alert developers to work with the various engineering departments.

Pat Callahan of WPC Engineering stated there is a GIS map that all Departments have access to or will have access to that shows sewer capacity. If there isn't any capacity available, it shows what projects will be done to create capacity, when they are scheduled and what the cost is. WPC Engineering is in the process of compiling more information for public access.

27. New Business:

Pat Callahan of WPC Engineering stated he has other requests similar to the above Park Center request and would like to use the guidelines used by the Board on this case to respond.

Linda Buskirk stated that Pat Callahan could use the letter to be sent by the Board as an example.
Jim Owen moved to adjourn the February 22, 1995 Board Meeting. Motion carried.

Meeting adjourned at 10:27 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

February 22, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Betsy Meyer, Barrett Law; Jeff Grogg & Tom Jones, Street Engineering.

1. Public Hearing to Confirm Resolution - Resolution 6366-95, Maxine Drive Improvements: Beaver Avenue to Lexington Avenue. **Jim Owen moved to Confirm Resolution 6366-95. Motion carried. Remonstrance period to be up on March 6, 1995.**

Hearing adjourned at 10:45 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: All Members & Clerk; Betsy Meyer, Barrett Law; Jeff Grogg & Tom Jones, Street Engineering.

1. Confirm Assessment Roll - Improvement Resolution 6311-93, Northcrest Addition Concrete Repairs - Phase I.

Tammy Brewster, resident of 709 E. Camden, addressed the Board. She stated that there are restoration problems and she also complained about ruts left by the contractor.

Project Engineer to notify contractor and proper restoration to be made. **Linda Buskirk moved to confirm Improvement Resolution 6311-93. Motion carried. Jim Owen moved to confirm Assessment Roll for Improvement Resolution 6311-93. Motion carried. Assessment Roll sent to be sent to the Department of Finance.**

Hearing adjourned at 11:15 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 1, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW: R. David Boyer, Associate City Attorney; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Gregg Meszaros, GIS; Tom Jones & Rich Romary, Street Engineering; Rick Orr, Finance Manager; Tim Warren, Water Engineering; Terry Atherton & Deb Farrell, Utility Administration; Linda Powell, Staff Attorney; Pat Callahan & Mike Hicks, WPC Engineering; Mike Thornson & Darren Good, Stormwater Engineering; Walter Jordan & Charles Bailey, Contract Compliance; Tim Ochs & James Federoff, Beckman, Lawson, Sandler, Snyder & Federoff Attorneys; Karl Bandemer, Sturges, Griffin, & Trent; Darryl D. Agler, Westland Development; Dale Tekippe, Hans Peterson, & Steve Neilsen, Rust Environment and Infrastructure & Stormwater Engineering.

1. **RECEIVE BIDS** - Resolution 6359-94, 1994 Miscellaneous Construction Package #4 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Const. Co., Inc.	15,283.50
Dehner Const. Inc.	10,990.04
Key Concrete, Inc.	14,937.00
Mergy Const., Inc.	17,269.00
Eng. Est.	$10,637.50

Street Engineering to tabulate and report.

2. AWARD: Resolution 6350-94, Dodge Avenue: Woodward Ave. to Carew Street Phase II to Brooks Construction Co. in the amount of $172,422.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Award for Resolution 6350-94 to Brooks Construction Co. in the amount of $172,422.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. AWARD: Resolution 6367-95, Sub-Area Capital Improvement Package 94/A, Fairfield Avenue: W. Jefferson to Brackenridge to Mergy Construction Co., Inc. in the amount of $64,922.50 (CDBG);
Jim Owen moved approval of Award of Resolution 6367-95 to Mergy Construction Co., Inc. in the amount of $64,922.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

4. Approval of Board Minutes of February 22, 1995;
Jim Owen moved approval of Board Minutes of February 22, 1995. Motion carried. Board Minutes approved as printed and distributed.

5. Approval of Public Hearing Minutes of February 22, 1995 for Improvement Resolution 6366-95, Maxine Drive Improvements: Beaver Avenue to Lexington Avenue (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Public Hearing Minutes of February 22, 1995 for Improvement Resolution 6366-95. Motion carried. Public Hearing Minutes approved as printed and distributed.

6. Approval of Public Hearing Minutes of February 22, 1995 for Improvement Resolution 6311-93, Northcrest Addition Concrete Repairs (COIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of Public Hearing Minutes of February 22, 1995 for Improvement Resolution 6311-93. Motion carried. Public Hearing Minutes approved as printed and distributed.

7. Water Contract 9501 between Carrington Pointe Mobile Home Park, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Carrington Pointe Manufactured Housing Park (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9501 between Carrington Pointe Mobile Home Park, Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

8. Water Contract 9503 between Loudermilk Development and the Fort Wayne Water Utility to construct water main systems to serve Northrop Industrial Park Section II (PRIVATELY FUNDED);

Jim Owen moved approval of Water Contract 9503 between Loudermilk Development and the Fort Wayne Water Utility. Motion carried. Copy on file.

9. **IMPROVEMENT RESOLUTION 6362-95,** Fairfield Avenue Resurfacing: Rudisill Blvd. to Pettit Avenue (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6362-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 3/3 & 3/10 with date to receive bids 3/22/95.

10. Terminate Agreement between the City of Fort Wayne and Mauer-McGillem Engineers, Inc. for engineering services to design improvements for Freeman Street: Taylor Street to Jefferson Blvd. Consulting firm has not proceeded with final design phase as authorized in City correspondence dated 11/29/94 and it is City Engineering's understanding that the firm is no longer available to provide professional services agreed upon. City Engineering recommends Notice of Termination be mailed;

    David Ross, City Engineer, apprised the Board that Mauer-McGillem Engineers, Inc. has been disbanded. There is a provision saying if the firm has not responded to our correspondence within 30 days, the City can terminate services. An agreement with another consulting firm for this project will be forthcoming.
    Jim Owen moved to send Notice to Terminate Agreement between the City and Fort Wayne and Mauer-McGillem Engineers, Inc. for engineering services to design improvements for Freeman Street. Motion carried. Notice to Terminate Agreement to be sent.

11. Request received from Westland Development, Inc. for confirmation from the Board of Public Works that sufficient sewer capacity exists for the remaining 59 lots in Arlington Heights Phase III;

    Pat Callahan of WPC Engineering stated the City sends necessary papers to IDEM to secure SPC Construction permits after staff reviews developer's plans and signs a cover letter stating that the City has sewer capacity for development. Westland Development, Inc. applied for a SPC 15 Permit from the State in 1989 for Arlington Heights Phase III. Construction of the first phase of the total development was started in 1989 or 1990 and then construction stopped. Now the developer wishes to resume construction. Pat Callahan stated he would recommend approval since the state permit is still in effect and there is no termination date on the State Permit.

    Darryl Agler, Westland Development, stated he is selling the property to Sturges, Griffin & Trent.

    Karl Bandemer of Sturges, Griffin & Trent stated his company would be starting construction this summer.

    Linda Buskirk asked Pat Callahan of WPC Engineering how many SPC 15 Permits from the State still exist for this area.

    Pat Callahan stated there are approximately 4 or 5.
    Jim Owen moved approval of request received from Westland Development, Inc. for confirmation from the Board of Public Works that sufficient sewer capacity exists for the remaining 59 lots in Arlington Heights Phase III. Motion carried. Letter to be sent.

12. Approval of Parking Lot Agreement and request for Waiver of Fees received from MS Society for their annual MS Super Cities Walk to be held on Sunday, April 2, 1995;
Jim Owen moved approval of Parking Lot Agreement and request for Waiver of Fees from MS Society for their annual MS Super Cities Walk to be held on Sunday, April 2, 1995. Motion carried. Fees to be waived and Parking Lot Agreement approved.

13. Received to Allen County Regional Sewer and Water District Letter of Commitment;

    Terry Atherton of Utility Administration stated this letter will confirm the representations that the City of Fort Wayne has made to the Allen County Regional Sewer & Water District.

Upon acquisition and concurrent with the closing or as nearly afterward as possible, the City will purchase from the ACRSWD in Northern Allen County, at a pre-determined price 3 Certified Territorial Authorities now controlled by Utility Center, Inc. along with all sewer collection lines and appurtenances therein.

The City agrees to provide, at the appropriate rates and charges, potable City water for redistribution and sale by the ACRSWD in this area. The City will undertake, at its expense, the installation of an appropriate number of metering points to measure the water provided.

In addition, the City will incorporate into its water distribution system, certain transmission lines to be identified. The value of these lines will be determined by mutual agreement. The City will propose that the purchase of these water facilities be made by applying a credit, in an equal amount to the value of the facilities, against the metered accounts of the District. Monthly water usage, normally billed, will be deducted from the credit until such time as the credit is exhausted. Normal billing will then commence. Upon the exhaustion of the credit, the water facilities will become the sole property of the City.

The City will assist, where possible, and after further discussion, with the meter reading, billing and collection of water accounts in the area.

It is understood that the District may wish to provide maintenance and administration for the area, or arrange to contract for those services from the City or others at fees to be determined.

Jim Owen expressed his concerns regarding losing sewer capital that would be otherwise directed to areas needing capacity upgrades.

David Boyer, Associate City Attorney, stated that the City has to be in position to provide City services at the time annexation in that area goes into effect and this will meet the City's obligation. **Linda Buskirk moved approval of Letter of Commitment to the Allen County Regional Sewer & Water District. Motion carried. Copy herein incorporated.**

14. Report on EPA Compliance Order;

Pat Callahan of WPC Engineering briefed the Board on the following:

I. THE LAW

- A. Clean Water Act established in 1972 (started water clean-up)
- B. EPA given enforcement responsibility through a permit problem
- C. States developed Permitting programs and upon the programs approval by the EPA the States became the prime enforcers of the Clean Water Act (NPDES - National Pollutant Discharge Elimination). EPA can step in if State doesn't perform as expected.
- D. The Permits
  - (a) Authorize the discharge of stormwater & treated sewage to surface waters
  - (b) Establish the conditions under which discharges can occur
- E. Problem - The parameters that measure compliance were negotiated by attorneys and do not always relate to scientific evidence

II. HISTORY

- A. Phase I of implementation started in 1970's and continued in mid 80's.
  - a. Construction of interceptors (Federal Grants)
  - b. Modifications to Treatment Plants " "
  - c. Closing of small Treatment Plants " "

- B. Phase II - 1988 - Present - CSO's - Local Funds
- C. Phase III - Current - Stormwater

D. Phase IV - Non-point source runoff - Farms

III. EPA ORDERS

A. Indiana under the jurisdiction of EPA's Region 5
B. The top priority of Region 5 is the cleanup of the Great Lakes
C. The natural drainage systems of Northern Indiana and most of Allen County empties into the Great Lakes
D. Indiana is behind most States in implementing EPA clean water programs and because of this EPA has become involved, through enforcement action, with implementation of EPA programs.
E. The Utility received it's 1st EPA order in March of 1994. The violations sited involved discharge limits of a special purpose pond and administrative modifications of the utilities pre-treatment program. The most important thing about this violation was the fact that Region V had targeted Fort Wayne for special attention.
F. On Feb. 20, 1995 the Utility received it's 2nd EPA order. Again the violations themselves are relative minor; however, this time the violations have been used to justify holding Fort Wayne to more stringent requirements than other Indiana cities are held to.
G. Alleged Violation

  a. Exceeding SS & bacterial limits in discharge of pond
  b. Failing to Chlorinate Discharge from pond
  c. Failing to measure flows from CSO's
  d. Reference to an unpublished report about E Coli bacterial levels in the river

H. Requirements of Order
  a. Plans for continuous disinfection
  b. List of CSO and locations
  c. Copies of all reports on CSO
  d. Plan for measuring CSO discharge
  e. CSO operational plan
  f. Implement operational plan

I. Effects of Compliance
  a. The purpose of compliance is reasonable
  b. Schedule for compliance has been accelerated
    1. 5 year spending accelerated from $7,000,000 to $30,000,000
    2. Cost of inefficiency

J. Compliance Strategy
  a. Keep purpose of Law in mind
  b. Negotiate efficient actions and schedules
    1. Consultants
    2. Negotiate efficient actions and schedules
      a. Consultants
      b. Environmental Attorneys

Linda Powell, Staff Attorney, stated that what the City is proposing to advise the EPA what has been done, future plans, and let them know the City does intend to comply.

15. Revolving Barrett Law claims approval in the amount of $28,048.62; **Jim Owen moved approval of the Barrett Law Claims in the amount of $28048.62. Motion carried. Barrett Law Claims forwarded to the Barrett Law Office for handling.**

16. Claims approval in the amount of $1,319,100.72: **Jim Owen moved approval of the Claims in the amount of $1,319,100.72. Motion carried. Claims forwarded to General Accounting for handling.**

17. Taxi Cab License Renewal Daniel Soto; **Jim Owen moved approval of Taxi Cab License Renewal Daniel Soto. Motion carried. License to be renewed.**

18. Old Business:

Jim Owen inquired when the Comcast Cablevision Contract would be finalized.

Linda Buskirk stated a new franchise agreement will come to the Board possibly as early as March 15, 1995.

19. New Business:

I. Jim Owen requested that a Resolution be presented to the Board on the Sewer Master Plan.

II. Tom Jones stated that there is a problem at the Lafayette Street Overpass with a weakening retaining wall. Barricades have been placed on both sides temporarily and immediate action should be taken. Documentation will be forthcoming.

Terrance McCaffrey moved to adjourn the March 1, 1995 Board Meeting. Motion carried.

Meeting adjourned at 10:00 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 1, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 10:01 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; Charles Bailey & Walter Jordan, Contract Compliance; Mary Jane Slaton; Public Information Office; Linda Powell, Staff Attorney; Gregg Meszaros, GIS; Deb Farrell & Terry Atherton, Utility Administration; Pat Callahan & Mike Hicks, WPC Engineering; Mike Thornson & Darren Good, Stormwater Engineering; Dale Tekippe, Hans Peterson & Steve Neilsen, Rust Environmental & Infrastructure & Stormwater Engineering.

1. Approval of Board Minutes of January 25, 1995;
Jim Owen moved approval of Board Minutes of January 25, 1995. Motion carried. Minutes approved as printed and distributed.

2. Presentation of Proposed Rules and Regulations for Stormwater Utility;

   Linda Powell, Staff Attorney, stated the Ordinance for the Proposed Rules and Regulations for Stormwater Utility was introduced at Common Council on February 26, 1995 and is up for passage on March 14, 1995. The ordinance needs Board signature if it is to go into effect as proposed on March 26, 1995.
   Board to review Rules and Regulations and discussion to be held at Stormwater Management Board next week.

3. Presentation of the results of the Stormwater Facilities Master Planning Study by Rust Environment and Infrastructure and Stormwater Engineering.

   A book on the Executive Summary for the Spy Run Watershed Master Plan was distributed to the Board Members. Dale Tekippe, from Rust Environment and Infrastructure and Stormwater Engineering gave highlights of results from their study.

   Recommendations are organized into three categories:

   A. Administrative Recommendations
   B. Minor Recommendations
   C. Major System Recommendations

   A final report will be forthcoming.

4. Old Business:

   None.

5. New Business:

   None.

Linda Buskirk moved to adjourn. Motion carried.

Meeting adjourned at 10:28 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 1, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

Present: Linda Buskirk, C. James Owen, Terrance P. McCaffrey, BOW; Rich Romary, Street Engineering; Betsy Meyer; Barrett Law Office.

1. Public Hearing to Confirm Assessment - Resolution 6320-93, Oakridge Road Improvement - State Blvd. to Eastbrook Drive.
Linda Buskirk moved to Confirm Assessment Roll for Resolution 6320-93. Motion carried. Assessment Roll forwarded to the Department of Finance.

Jim Owen moved to adjourn the hearing. Motion carried.

Hearing adjourned at 10:35 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

Present: All Members & Clerk, BOW; Jeff Grogg, Street Engineering; Betsy Meyer, Barrett Law Office.

1. Confirm Improvement Resolution 6360-94, Maywood Circle Street Reconstruction - Fairoak Drive to Interlaken Drive.
Jim Owen moved to Confirm Improvement Resolution 6360-94. Motion carried. Resolution 6360-94 confirmed.

Jim Owen moved to adjourn the hearing. Motion carried.

Hearing adjourned at 11:20 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 8, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, Ann Smith, BOW; David Ross, City Engineer; R. David Boyer, Assoc. City Attorney; Charles Bailey, Contract Compliance; Tom Jones, Street Engineering; Rick Orr, Finance Manager; Gregg Meszaros, GIS; Mike Thornson, Stormwater Engineering; Jim Riemke, Street Light Engineering; Wayne O'Brien, City Planning; Tim Warren, Water Resources, Pat Callahan, Ron Shepherd & Mike Hicks, WPC Engineering; Tom Manny, Traffic Engineering; Deb Farrell & Terry Atherton, Utility Administration; Wendy McConnell & Sally Clem, City Utilities; Steve Martin, City Utilities Accounting; Mary Jane Slator, Public Information Office, & David Bennett, Tax Payers Research Association, Al Damico, David M. Griffith, Consultant;. Linda Buskirk absent.

1. **RECEIVE BIDS** - Miscellaneous Invitational Bid - Coldwater Road Pavement Repair (REDELOPMENT COMMISSION);

Brooks Const. Co., Inc.	2,315.00
Key Concrete, Inc.	4,550.00
Mergy Const., Inc.	4,732.00
Pioneer Associates, Inc.	5,885.00
Wayne Asphalt & Const.	3,327.00
Eng. Est.	$2,996.00

Other companies invited to bid were B-Char, Inc., Newell Construction Co., Tomco Construction Co., Jones & Sons, & Widner Paving Inc. Street Engineering to tabulate and report.

2. AWARD: Improvement Resolution 6359-94, 1994 Miscellaneous Construction Package #4 to Dehner Construction Co., Inc. in the amount of $10,990.04 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Award of Improvement Resolution 6359-94 to Dehner Construction Co., Inc. in the amount of $10,990.04. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. Approval of Board Minutes of March 1, 1995;
Terrance McCaffrey moved approval of Board Minutes of March 1, 1995. Motion carried. Board Minutes approved as printed and distributed.

4. Approval of Public Hearing Minutes of March 1, 1995 for Improvement Resolution 6320-93, Oakridge Road Improvement - State Blvd. to Eastbrook Drive (COIT/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Public Hearing Minutes of March 1, 1995 for Improvement Resolution 6320-93. Motion carried. Public Hearing Minutes of March 1, 1995 for Improvement Resolution 6320-93 approved as printed and distributed.

5. Approval of Public Hearing Minutes of March 1, 1995 for Improvement Resolution 6360-94, Maywood Circle Street Reconstruction - Fairoak Drive to Interlaken Drive (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Public Hearing Minutes of March 1, 1995 for Improvement Resolution 6360-94. Motion carried. Public Hearing Minutes of March 1, 1995 for Improvement Resolution 6360-94 approved as printed and distributed.

6. **RESOLUTION** for vacation of Radcliffe Drive from Pontiac Street to its northern terminus. The vacation of an alley between Lots 113 & 114 in Abbott's Addition and between Lots 4 & 5 in Violand's Addition. Petitioner is Fort Wayne Foundry, Pontiac Division Inc. Routing has been finalized. Staff and Utilities have approved;
Terrance McCaffrey moved approval of Resolution for vacation of Radcliffe Drive from Pontiac Street to its northern terminus. Motion carried. Copy on file.

7. **RESOLUTION CONCERNING NEED FOR CONSULTANT SERVICES** to design a relief sewer or sewers to correct the current lack of capacity of the North Maumee Sanitary Sewer Interceptor;

   Pat Callahan, WPC Engineering, stated that the North Maumee Sanitary Sewer Interceptor from Maysville Road and North River Road to St. Joe Center Road and Maplecrest Road is undersized according to the Master Plan and has experienced surcharge conditions making it necessary to design a relief sewer or sewers. The WPC Engineering Staff does not have the time necessary to complete this project in the time frame required. The project is estimated to cost between $1.5 and $2 million (Bond Funding).
   Terrance McCaffrey moved approval of Resolution Concerning need for Consultant Services. Motion carried. Copy herein incorporated.

8. **STREET LIGHT RESOLUTION 239-95,** Camelot Street Light Improvement (CEDIT/REVOLVING BARRETT LAW);
   Terrance McCaffrey moved approval of Street Light Resolution 239-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners on March 10, 1995 with date for hearing to be March 22, 1995.

9. **STREET LIGHT RESOLUTION 240-95,** Oakdale Street Light Improvement (CEDIT/REVOLVING BARRETT LAW);
   Terrance McCaffrey moved approval of Street Light Resolution 240-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners on March 10, 1995 with date for hearing to be March 22, 1995.

10. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $73,349.62. The write-offs are for September and October, 1994;

    Steve Martin of City Utilities Accounting stated that the amount listed above represents 1% of gross sales.
    Terrance McCaffrey moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $73,349.62. Motion carried. Write off for delinquent accounts forwarded to City Utilities for handling.

11. Received Encroachment License Agreement from The Salvation Army, 427 W. Washington Blvd. for new concrete entrance steps replacing existing steps on the west side of the existing building and new entrance canopy on west side of the building. Various departments have approved;
    Terrance McCaffrey moved approval of Encroachment License Agreement from The Salvation Army, 427 W. Washington Blvd. Motion carried. Encroachment License Agreement forwarded to the Recorders Office for recordation.

12. Contract 6365-95 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Rudisill Blvd. from Smith St. to Anthony Blvd.: Asphalt overlay removal, bituminous re- surfacing, pavement markings, curb ramp construction, spot curb/driveway approach reconstruction and restoration in the amount of $204,319.88 (CEDIT BOND);
    Terrance McCaffrey moved approval of Contract 6365-95 between Wayne Asphalt & Construction Co., Inc. and the City in the amount of $204,319.88. Motion carried. Contract approved subject to Council approval.

13. Revolving Barrett Law claims approval in the amount of $7,227.08;
    Terrance McCaffrey moved approval of Revolving Barrett Law claims in the amount of $7,227.08. Motion carried. Revolving Barrett Law claims forwarded to Barrett Law Office for handling.

14. Claims approval in the amount of $12,028,996.41;
    Terrance McCaffrey moved approval of claims in the amount of $12,028,996.41. Motion carried. Claims forwarded to General Accounting for handling.

15. Taxi Cab License renewal for Kenton L. Ganger;
    Terrance McCaffrey moved approval of Taxi Cab License renewal for Kenton L. Ganger. Motion carried. License to be renewed.

16. Old Business:

David Ross, City Engineer, stated that Street Engineering has started an investigation by collecting data as a result of the discussion at last weeks Board Meeting regarding the Lafayette Street Railroad Viaduct retaining wall. Conceptually, it looks like the section between two piers can be reconstructed with a new wall. The cost estimate is approximately $55,000 and a form is being prepared for the Board's signature reappropriating the Board of Works Contingency Funds to finance the repairs.

17. New Business:

David Ross, City Engineer, stated Street Engineering does not have time to perform engineering/design services for Central District Block Grant projects thus resulting in RFP's from consultants. Nine proposals have been received and are to be reviewed by a committee who will then give a recommendation to the Board of Works.

Meeting adjourned at 9:30 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 8, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 10:01 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: C. James Owen, Terrance P. McCaffrey, Patricia Crick, BOW; R. David Boyer, Assoc. City Attorney; Gregg Meszaros, GIS; Terry Atherton, Utility Administration; Tim Warren, Water Resources; Sally Clem & Wendy McConnell, City Utilities; Mary Jane Slaton, Public Information Office; Mike Thornson, Darren Good & Denise Heiser, Stormwater Engineering; Al Damico, David M. Griffith, Consultant; Kevin Holle, Stormwater Customer Service Center; David Bennett, Taxpayers Research Association. Linda Buskirk, absent.

1. Approval of Board Minutes of March 1, 1995:
   Terrance McCaffrey moved approval of Board Minutes of March 1, 1995. Motion carried. Minutes approved as printed and distributed.

2. Presentation of and Discussion Proposed Rules and Regulations for Stormwater Utility;
   Terrance McCaffrey moved for consideration Presentation of and Discussion of Proposed Rules and Regulations for the Stormwater Utility.

   Terry Atherton of Utility Administration presented the Board with three revised sheets of the Proposed Rules and Regulations for Stormwater Utility. The Ordinance for Stormwater Rules and Regulations is required by Section 53.01 (b) (1) of the new Stormwater Ordinance passed on January 10, 1995. The new Stormwater Rate is proposed to take effect on March 26, 1995. The Board's adoption of these Rules and Regulations does not preclude Council from making changes.

   Terry Atherton then gave a historical perspective.

   He also stated that on March 26, 1996 the City will start billing by the new rate structure of $1.80 as set by Council and all properties will be billed on their prorated amount of impervious surface. Everyone will pay the same subject to credit.

   Terry Atherton then gave a brief overview of the Rules and Regulations.

   Wendy McConnell, City Utilities Accounting, addressed the Board on the billing. The Stormwater is added to the customers regular monthly bill and collection will be attempted via sending the bill and requesting payment. When the customer is delinquent, the staff will follow similar procedures that is set in City Utilities: however, if they don't pay their Stormwater Utility Bill, the City still has the ability to turn the water off. When $20.00 or more dollars becomes delinquent, the customer is notified that they are in a delinquent status and that they have a period of time to pay the charges. Sixty days usually is how long it takes to get $20.00 in arrears. After ninety days the staff sends a red notice stating the customer is ninety days delinquent. Usually the average bill at that point is in the range of $60.00.

   By ordinance the City has to apply customers payment to liens or any deposit, trash, next is water, sewer and stormwater. With the new ordinance that was passed stormwater becomes second to be paid and trash is first, then water and sewer.

   Jim Owen questioned if the City is prepared administratively for the number of people that might come forward.

   Mike Thornson of Stormwater Engineering stated that the City has a Stormwater Engineering Staff of six and one is commissioned full time for this stormwater detention credit application program and if she needs help or assistance he is prepared to have other engineers to help.

   Wendy stated that there was a stuffer in this months bill that tells the customers that there is a change in the way the City is charging for stormwater; residential customers will see a decrease by 14 cents per month and commercial accounts may see a decrease or increase. Also the Stormwater Customer Service Center sent out letters to the top 500 accounts in order to tell the customer how their impervious service has been measured and if they would like to have more information sent to them.

Also a newsletter has been sent out called the Executive Report that goes to commercial customers to make them aware that they are going to be seeing some changes in stormwater and that there are appeals.

Terry Atherton stated that the staff has met with the Task Force at the Chamber of Commerce and tried to work out language that is acceptable with them for credits. When the ordinance was passed, general rationale was used stating that properties, or portions thereof, directly discharging stormwater to the following waterways shall be entitled to a proportionate credit against assigned stormwater ERUs (Equivalent Residential Units); St. Mary's River, St. Joseph River, Maumee River, all legal public drains within the corporate boundaries of the City under the control of the Allen County Drainage Board, and that section of Spy Run Creek downstream of State Boulevard. The City feels that Spy Run Creek is a tributary but not the entire Spy Run Water Shed.

David Bennett of Taxpayers Research Association inquired if the City is maintaining Spy Run Creek North of State or if they intend to.

Terry Atherton stated that there are plans included in the Master Plan for Spy Run Creek and the improvements should be funded through the Capital Improvement Plan.
Jim Owen accepted the motion to accept this presentation as part of the Minutes for the Stormwater Management Board. Motion carried.

Terry McCaffrey then moved to accept the Rules and Regulations for Stormwater Utility as proposed as amended. Motion carried. Rules and Regulations for Stormwater Utility approved subject to Council approval.

3. Old Business:

Jim Owen complimented Rust Environmental & Infrastructure on their research on their Executive Summary on the Spy Run Watershed Master Plan.

4. New Business:

None.

Meeting adjourned at 10:28 a.m.

Linda Buskirk, Director

James Owen
C. James Owen, Member

Terry P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 8, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: C. James Owen, Terrance P. McCaffrey, Patricia J. Crick, BOW: Betsy Meyer, Barrett Law; Rich Romary, Street Engineering. Linda Buskirk, absent.

1. Confirm Assessment Roll - Improvement Resolution 6330-94, Oakland Street Improvement - Greenlawn Ave. to Margaret Ave.
   Terrance McCaffrey moved to Confirm Assessment Roll for Improvement Resolution 6330-94. Motion carried. Assessment Roll sent to the Department of Finance for handling.

Hearing adjourned at 11:07 a.m.

Linda Buskirk, Director

C. James Owen, Member

Terry P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 15, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, Carolyn Newport & Ann Smith, BOW: Terry Atherton, Utility Administration; Tim Warren, Water Resources; Rick Orr, Finance Manager; Tom Jones, Street Engineering; Walter Jordan & Charles Bailey, Contract Compliance; Mike Thornson, Stormwater Engineering; Kathy Friend, Department of Finance; Tom Pallone, Mike Hicks, Pat Callahan, WPC Engineering; Mary Jane Slaton, Public Information Office; David Ross, City Engineering; Loren Kravig & Ron Fletcher, Redevelopment; Mary Majewski, Science Central; James P. Merkey, W. A. Sheets & Sons; George D. Morrison, Morrison, Kattman, Menze, Inc., Architects.

1. **RECEIVE BIDS** - Resolution #6368-95, Science Central Inc.: Windows (CEDIT AT LARGE)

Harmon Contract

Base	$	317,000.00
Alt. 1		7,600.00
Alt. 2		7,125.00
Alt. 3		3,650.00
Alt. 4		25,300.00
Alt. 5 Deduct Base Bid		13,500.00
5a. Deduct Alt. #1		380.00
5b. Deduct Alt. #2		350.00

Hoosier Glass

Base	189,900.00
Alt. 1	98,500.00
Add Alt.2	9,850.00
Add Alt.3	10,380.00
Deduct Alt.4	12,740.00
Alt. 5 Deduct Base Bid	9,200.00
5a. Deduct Alt. #1	7,500.00
5b. Deduct Alt. #2	700.00

Morrison, Kattman, Menze, Inc., Architects to tabulate and report.

2. AWARD: Miscellaneous Invitational Bid: Coldwater Road Pavement Repair to Brooks Construction Co., Inc. in the amount of $2,315.00 (REDEVELOPMENT COMMISSION);
Jim Owen moved approval of Award for Miscellaneous Invitational Bid: Coldwater Road Pavement Repair to Brooks Construction Co., Inc. in the amount of $2,315.00. Motion carried. Notice of Award to be sent.

3. Approval of Board Minutes of March 8, 1995;
Jim Owen moved approval of Board Minutes of March 8, 1995. Motion carried. Minutes approved as printed and distributed.

4. Approval of Public Hearing Minutes of March 8, 1995 for Improvement Resolution 6330-94, Oakland Street Improvement - Greenlawn Ave. to Margaret Ave. (CEDIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of Public Hearing Minutes of March 8, 1995 for Improvement Resolution 6330-94. Motion carried. Minutes approved as printed and distributed.

5. Contract 6367-95 between Mergy Construction Co., Inc. and the City of Fort Wayne for Sub-Area Capital Improvement Package 94/A Fairfield Avenue: West Jefferson to Brackenridge in the amount of $64,922.50 (CDBG);
Jim Owen moved approval of Contract 6367-95 between Mergy Construction Co., Inc. and the City of Fort Wayne in the amount of $64,922.50. Motion carried. Notice to proceed to be sent.

6. Sewer Contract 527-1994 between T-G Incorporated and the City of Fort Wayne for St. Joseph River Erosion Control Project in the amount of $87,000.00 (SEWER UTILITY);

   Jim Owen moved approval of Sewer Contract 527-1994 between T-G Incorporated and the City of Fort Wayne in the amount of $87,000.00. Motion carried. Notice to proceed to be sent.

7. Contract 6350-94 between Brooks Construction Co., Inc. and the City of Fort Wayne for Dodge Avenue from Woodward to Carew St. by replacing curbs, driveway approaches, sub-surface drainage and street reconstruction in the amount of $172,422.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

   Jim Owen moved approval of Contract 6350-94 between Brooks Construction Co., Inc. Motion carried. Contract approved subject to Council approval.

8. Sewer Contract 95-S-6 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Rapids of Keefer Creek Section II Sanitary (PRIVATELY FUNDED);

   Jim Owen moved approval of Sewer Contract 95-S-6 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

9. Sewer Contract 95-S-7 between Futuro, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Falls of Keefer Creek Section II Sanitary (PRIVATELY FUNDED);

   Jim Owen moved approval of Sewer Contract 95-S-7 between Futuro, Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

10. Escrow Agreement received from T-G Incorporated in connection with Resolution 525-94, I-469 Sewer Relocation project. Escrow agent is NBD Bank;

    Jim Owen moved approval of Escrow Agreement received from T-G Incorporated in connection with Resolution 525-94. Motion carried. Copy to be sent to Escrow Agent NBD Bank.

11. Change Order #1 and Final received from Mergy Construction Co., Inc. for Resolution 6320-93, Oakridge Road: State Blvd. to Eastbrook Drive decreasing the contract price by $2,634.97. Original contract price was $53,871.40;

    Jim Owen moved approval of Change Order #1 and Final received from Mergy Construction Co., Inc. for Resolution 6320-93. Motion carried. Copy on file.

12. Change Order #1 and Final received from Mergy Construction Co., Inc. for Resolution 6330-94, Oakland Street: Greenlawn to Margaret decreasing the contract price by $301.30. Original contract price was $19,340.70

    Jim Owen moved approval of Change Order 1 and Final received from Mergy Construction Co., Inc. for Resolution 6330-94. Motion carried. Copy on file.

13. Received request from Multiple Sclerosis Society for Waiver of Barricade Fees for their annual Super Cities Walk to be held on Sunday, April 2, 1995 from 8 A.M. to 8:30 A.M.;

    Jim Owen moved approval of request from Multiple Sclerosis Society for Waiver of Barricade Fees for their annual Super Cities Walk to be held on Sunday, April 2, 1995 from 8 A.M. to 8:30 A.M. Motion carried. Fees to be waived.

14. RESOLUTION to hereby resolve that the Water Pollution Control Engineering Department shall not approve any SPC-15 permit applications for sewer extensions that flow into these high problem sewers unless the Board of Public Works determines that an exception to this policy is desirable;

    Jim Owen moved to table Resolution on Agenda item #14 until another resolution is attached which will list interceptors under various classifications. Motion carried. Resolution attached.

15. IMPROVEMENT RESOLUTION 6369-95, Lower Huntington Road: Bluffton Road to Baer Field Thruway for pavement widening, resurfacing, curb and gutter installation, sidewalk reconstruction, curb ramps, street lighting, storm sewers, water main reconstruction, signal modernization and restoration (CEDIT BOND/CEDIT NEIGHBORHOOD/STORM WATER UTILITY);

Jim Owen moved approval of Improvement Resolution 6369-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 3/17 & 3/24/95 with date to receive bids on April 5, 1995.

16. **RESOLUTION** of the Board of Public Works to receive bids from potential lessors for the lease of certain various vehicles and equipment items for use by the Fort Wayne Police Department;

    Kathy Friend of the Department of Finance stated that the bids would be received and tabulated on March 29, 1995.
    Jim Owen moved approval of Resolution of the Board of Public Works to receive bids from potential lessors for the lease of certain various vehicles and equipment items for use by the Fort Wayne Police Department. Motion carried. Copy herein incorporated.

17. Received request for annual Garden Permit from Joseph L. Haifley to use the plot of ground directly behind 1001 North Anthony Blvd. which consists of 49.17' width running to river bank. This is in Anthony Blvd. Place Addition, said ground crosses unopen Garfield Street;
    Jim Owen moved approval of request for annual Garden Permit from Joseph L. Haifley to use the plot of ground directly behind 1001 North Anthony Blvd. Motion carried. Permit to be issued.

18. Agreement between the City of Fort Wayne Board of Public Works and Bonar & Associates for professional services to provide construction drawings, specifications and bid documents for repairs to west retaining wall along Lafayette Street, north of railroad viaduct. Consultant will receive lump sum amount of $8,500.00 to provide services. Payment will be funded through Board of Public Works contingency account. City Engineering recommends approval;
    Jim Owen moved approval of Agreement between the City of Fort Wayne Board of Public Works and Bonar & Associates for professional services connected with repairs to west retaining wall along Lafayette Street, north of railroad viaduct. Motion carried. Copy on file.

19. Approval of Amendment #1 to Agreement for Professional Services between the City of Fort Wayne and Samuel L. Moore & Associates, Inc. for the St. Joe Center Road Relief Sewer project. Original not-to-exceed ceiling of $45,000 will be increased to $59,000;

    Tom Pallone of WPC Engineering stated that the engineering services have changed because of the need to obtain soil borings for the structural design of the two siphon structures, and an additional 8-inch trunk line design to service adjoining properties. The soil borings and additional design require the contract ceiling to be increased.
    Jim Owen moved approval of Amendment #1 to Agreement for Professional Services between the City of Fort Wayne and Samuel L. Moore & Associates, Inc. for the St. Joe Center Road Relief Sewer project. Motion carried. Copy on file in vault.

20. Received recommendation from Water Engineering to accept Water Contract 9411, Becketts Run Section II Water Line project as an integral part of the City's water main system;
    Jim Owen moved approval of recommendation from Water Engineering to accept Water Contract 9411. Motion carried. Acceptance letter to be sent to Pyramid Excavating, Inc.

21. Received Application for Taxi Permit from AAA Taxi Service. Attached is letter of intent from Yaste Zent & Rye verifying that they are actively pursuing Commercial Insurance on behalf of AAA Taxi Service, Inc. All other requirements have been met;
    Linda Buskirk moved approval of Application for Taxi Permit from AAA Taxi Service with the condition that all insurance requirements are met. Motion carried. License to be issued upon receipt of insurance.

22. Taxi Cab License Renewal for William L. Proscia;
    Jim Owen moved approval of Taxi Cab License Renewal for William L. Proscia. Motion carried. License to be renewed.

23. Revolving Barrett Law claims approval in the amount of $12,097.67;
    Jim Owen moved approval of Revolving Barrett Law claims in the amount of $12,097.67. Motion carried. Claims to be forwarded to Barrett Law Office for handling.

24. Claims approval in the amount of $2,432,985.30:

    Jim Owen moved approval of Claims in the amount of $2,432,985.30.

Motion carried. Claims approved and forwarded to General Accounting for their handling.

25. Old Business:

Pat Callahan of WPC Engineering briefed the Board on the meeting in Chicago with EPA officials. He stated that a tentative agreement was reached on several items. It also appears that the City will be allowed time extensions.

26. New Business:

David Boyer, Associated City Attorney, presented the Board with a Revised Intergovernmental Agreement between and among the City of Fort Wayne Department of Redevelopment acting by and through the Fort Wayne Redevelopment Commission and Board of Public Works. In December, the Board of Works agreed to assist in acquiring real estate through condemnation for the relocation of the Three Rivers Ambulance Authority Building that was displaced by Headwaters Park. This revised agreement delegates authority to the Redevelopment Commission to condemn property in the name Board of Works. It gives the Redevelopment Commission authority to settle litigated cases for the average price of 2 appraisals, but if litigation happens, the Redevelopment Commission can settle cases for up to 20% more or $500.00, which ever is greater than the offer price.
Jim Owen moved to approve the Agreement for the Redevelopment Commission to serve as the agent for the Board of Public Works in acquiring said property. Motion carried. Copy on file in vault.

Jim Owen inquired about the status of the General Assembly passing a bill increasing the Board of Public Works from three members to five.

There was no information at this time.

Jim Owen inquired if any remonstrances have been received on the IURC Ordinance.

Terry Atherton of Utility Administration reported there are none at this time of which he was aware.

Jim Owen moved to adjourn the March 15, 1995 Board Meeting. Motion carried.

Meeting adjourned at 10:09 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 15, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk; Betsy Meyer, Barrett Law; Ray Wigfield, Mike Hicks & Pat Callahan, WPC Engineering.

1. Confirm Assessment Roll - Improvement Resolution 925-1993, Haffner Drive Sanitary Sewer Resolution.

   Several property owners expressed concern since the surveying is not correct as far as property lines and they need to be reset. Pat Callahan of WPC Engineering stated the acceptance letter for the project will not be sent to Scheidleman Excavating until a certified survey is received and all restorations have been made. The City will send property owners a letter stating the certified surveys have been received.

   Ed Morris, property owner at 4833 Haffner, stated that his cherry tree evaluated at $1,000 had died as a result of damage done by Scheidleman Excavating and also a flower bed estimated at $350.00 has been destroyed.

   Pat Callahan stated that there is an obligation by the contractor to replace or restore items damaged and the contractor will be directed to do same.
   Jim Owen moved to confirm Assessment Roll for Improvement Resolution 925-1993. Motion carried. Assessment Roll to be sent to the Department of Finance.

Hearing adjourned at 11:15 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 22, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Charles Bailey & Walter Jordan, Contract Compliance; Greg Meszaros, GIS; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Tim Warren, Water Resources; Mike Thornson, Stormwater Engineering; Pat Callahan, WPC Engineering; Tom Jones, Street Engineering; Deb Farrell, Utility Administration; Rick Orr, Finance Manager; Steve Nielson, Rust Environmental & Infrastructure; Mary Majewski, Science Central; George Morrison, Morrison, Kattman, Menze, Inc.

1. **RECEIVE BIDS** - Resolution 6361-94, Lincolnshire Addition Improvements Phase II (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Construction	166,562.58
Dehner Construction Inc.	141,672.16
Mergy Const. Inc.	128,900.75
Wayne Asphalt	146,800.00
Eng. Est.	$139,853.75

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6362-95, Fairfield Avenue Resurfacing; Rudisill Blvd. to Pettit Avenue (CEDIT NEIGHBORHOOD)

Brooks Construction	90,299.25
S. E. Johnson	116,222.65
Wayne Asphalt	99,753.90
Eng. Est.	$110,157.50

Street Engineering to tabulate and report.

3. **RECEIVE BIDS** - Resolution 6364-95, Beaver Avenue Improvements: Cottage Avenue to Wildwood Avenue (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW)

Brooks Construction	14,996.00
Dehner Const. Inc.	11,000.00
Key Concrete	10,755.00
Mergy Const.	10,301.00
Eng. Est.	$9,717.00

Street Engineering to tabulate and report.

4. AWARD: Resolution 6368-95, Science Central Inc.: Windows to Hoosier Glass Co., Inc. for Alternates 1, 2 and 3 in the amount of $308,630.00 (CEDIT-AT-LARGE) PRIOR APPROVAL REQUESTED;
Jim Owen moved approval of Award for Resolution 6368-95 to Hoosier Glass Co., Inc. for Alternates 1, 2 and 3 in the amount of $308,630.00. Motion carried. Notice of Award to be sent. Morrison, Kattman, Menze, Inc. to prepare contracts.

5. Approval of Board Minutes of March 15, 1995;
Jim Owen moved approval of Board Minutes of March 15, 1995. Motion carried. Board Minutes of March 15, 1995 approved as printed and distributed.

6. Approval of Public Hearing Minutes of March 15, 1995 for Resolution 925-1993, Haffner Drive Sanitary Sewer;
Jim Owen moved approval of Public Hearing Minutes of March 15, 1995. Motion carried. Public Hearing Minutes of March 15, 1995 approved as printed and distributed.

7. Contract 6359-94 between Dehner Construction Co., Inc. and the City of Fort Wayne for 1994 Miscellaneous Construction Package #4 in the amount of $10,990.04 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Contract 6359-94 between Dehner Construction Co., Inc. and the City of Fort Wayne. Motion carried. Notice to Proceed to be sent.

8. **EMERGENCY RESOLUTION** for repair of two (2) existing 12" combination sewers in the intersection of Berry Street and Clinton Street which collapsed and caused a hole to develop in the street. Earth Construction, Inc., T-G Incorporated, Crosby Excavating, Inc. and Liberty Construction, Inc., were invited to submit quotes on the said repair.
Jim Owen moved approval of Emergency Resolution for repair of two (2) existing 12" combination sewers in the intersection of Berry Street and Clinton Street. Motion carried. Purchasing to issue purchase order to the contractor chosen for said repair. Copy herein incorporated.

9. **RESOLUTION** to classify major interceptors in the City's sewer system according to capacity according to data gathered for the Sewer Master Plan and by WPC Utility Staff;

   Pat Callahan of WPC Engineering stated that this Resolution classifies sewers as follows and is indicated on maps attached to the resolution. This resolution is in connection with agenda item #10.

   I. "Capacity Available Sewers"
   II. "Minor Problem Sewers"
   III. "High Problem Sewers"

   Classifications shall be reviewed and modified by the Board of Public Works as conditions changes.
   Jim Owen moved approval of Resolution to classify major interceptors in the City's sewer system according to capacity. Motion carried. Copy herein incorporated.

10. **RESOLUTION** to hereby resolve that the Water Pollution Control Engineering Department shall not approve any SPC-15 permit applications for sewer extensions that flow into these High Problem Sewers unless the Board of Public Works determines that an exception to this policy is desirable (TABLED FROM LAST WEEK);

    Pat Callahan of WPC Engineering stated that this Resolution was tabled last week because the Board of Public Works had directed WPC Engineering to classify major interceptors in the City's sewer system according to capacity which was done in agenda item #9.
    Terrance McCaffrey moved approval of Resolution to hereby resolve that the Water Pollution Control Engineering Department shall not approve any SPC permit applications for sewer extensions that flow into these High Problem Sewers unless the Board of Public Works determines that an exception to this policy is desirable. Motion carried. Copy herein incorporated.

11. **IMPROVEMENT RESOLUTION 6370-95,** Maplewood Addition Spot Concrete Pavement Repair (CEDIT NEIGHBORHOOD);
    Jim Owen moved approval of Improvement Resolution 6370-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners 3/24 & 3/31 with date to receive bids on 4/12/95.

12. Agreement between City of Fort Wayne and Z. K. Tazian Associates, Inc. for professional services to develop engineering plans and bid document for 1995 Neighborhood Improvement Program. Consultant will provide services for three projects: Creighton-Home, Greater McMillen/Pontiac Place, LaRez for a total fee not to exceed $16,500.00. Projects will be funded through Community and Economic Development Block Grant Account. City Engineering recommends approval;
    Jim Owen moved approval of Agreement between City of Fort Wayne and Z. K. Tazian Associates, Inc. for professional services to develop engineering plans and bid document for 1995 Neighborhood Improvement Program. Motion carried. Copy on file in vault.

13. Agreement between the City of Fort Wayne Board of Public Works and RUST Environment and Infrastructure for professional services required to manage, develop, and implement a Combined Sewer Overflow Program. The consultant will be compensated on a direct labor times a multiplier basis. These billings shall not exceed $95,550.00 for those tasks specified in the contract. WPC Engineering recommends approval (SEWER UTILITY FUNDS);

    Pat Callahan of WPC Engineering stated that the above agreement was initiated because of the EPA compliance order requiring the City to comply with alleged violations. The City does not have staff available to take on additional responsibilities since this would require a full time position.

Pat Callahan stated Rust Environmental and Infrastructure was selected out of five consultants who submitted Experience Sheets based on experience dealing compliance orders.

Steve Nielson of Rust Environmental and Infrastructure explained the connection of this agreement with the Master Plan. The Master Plan directs where the problems are and the CSO Operational Plan intensifies the projects.
Terrance McCaffrey moved approval of Agreement between the City of Fort Wayne Board of Public Works and RUST Environmental and Infrastructure for professional services required to manage, develop, and implement a Combined Sewer Overflow Program. Motion carried. Copy on file in vault.

14. Agreement between the City of Fort Wayne and United Surveying, Inc. (USI) for professional services to complete engineering drawings and bid documents for improvements to Freeman Street: Taylor Street to Jefferson Blvd. USI will proceed with final design, utilizing drawings and preliminary design developed by Maurer McGillem Engineers, Inc. (Agreement now terminated). Services will be provided to complete project for a fee of $6,000.00. Funding will be provided through CEDIT Bond Account.City Engineering recommends approval;
Jim Owen moved approval of Agreement between the City of Fort Wayne and United Surveying, Inc. (USI) for professional services to complete engineering drawings and bid documents for improvements to Freeman Street; Taylor Street to Jefferson Blvd. Motion carried. Copy on file in vault.

15. Sewer Master Plan Update;

Pat Callahan of WPC Engineering stated there are two chapters on the rough draft of the Master Plan that are being rewritten: (1) Executive Summary and (2) Implementation. Also the technical data is being moving into a separate appendix. The final rough draft will be done March 31, 1995. A discussion will be held with the Board of Public Works on the two chapters.

Steve Nielson of Rust Environmental and Infrastructure stated his company will submit an intergraph format to GIS.

16. Claims approval in the amount of $21,791,784.94
Jim Owen moved approval of claims in the amount of $21,791,784.94. Motion carried. Claims forwarded to General Accounting for their handling.

17. Old Business:

(1) Deb Farrell of Utility Adminstration submitted to the Board a Final Report from Malcolm Pirnie on Analysis of Treatment Process for the Water Filtration Plant for discussion and acceptance at the Board Meeting next week.

(2) Pat Callahan of WPC Engineering updated the Board on the Haffner Drive Sanitary Sewer Project on which a Final Assessment Hearing was held last week. The property owners cannot hook up to the sewer until the project has been accepted. A landscaper is working with the property owner who needed a cherry tree replaced and WPC Engineering is working with a surveyor on the problem with property corners. Retainage is being held on this project in the amount of $1,000.00.

18. New Business:

None.
Jim Owen moved to adjourn March 22, 1995 Board meeting. Motion carried.

Meeting adjourned at 10:15 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

Patricia Crick
Patricia J. Crick, Clerk

March 22, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 10:01 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: C. James Owen, Terrance P. McCaffrey, Patricia Crick, & Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Greg Meszaros, GIS; Terry Atherton, Deb Farrell, Utility Administration; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Mike Thornson, Stormwater Engineering; Pat Callahan, WPC Engineering.

1. Approval of Board Minutes of March 8, 1995:
Terrance McCaffrey moved approval of Board Minutes of March 8, 1995. Motion carried. Minutes approved as printed and distributed.

2. First Amendment to Agreement to Provide Professional Consulting Services between the City of Fort Wayne and David M. Griffith & Associates, Ltd. Purpose of this amendment is to request an additional three months of consulting services related to the implementation of the stormwater utility revised rate structure and to the production billing of the impervious surface revised rate structure;

Greg Meszaros of GIS stated this amendment is needed because of the delay on approving the Ordinance by Common Council for stormwater utility revised rate structure and production billing of the impervious surface revised rate structure. It is necessary for the consultant to stay for the next three months as the City moves to actual production billing, handle customer complaints, research, etc. The original contract had not-to-exceed consulting services in the amount of $98,680 and the additional three months would push that up to $158,640.00 excluding reimbursement for actual expenses incurred. The Consultant estimates reimbursable expenses will approximate $29,983.00. This includes the reimbursable expenses on the first contract.
Jim Owen moved approval of First Amendment to Agreement to Provide Professional Consulting Services between the City of Fort Wayne and David M. Griffith & Associate, Ltd. Motion carried. Copy on file in vault.

3. **Resolution** to amend Stormwater Management Rules and Regulations in Section II - B (1) and (5);

Greg Meszaros of GIS stated the reason for the Resolution is to coordinate the Ordinance with the Rules and Regulations. The main change is the removal of the ability to lien a property owner for failure of a tenant to pay their stormwater fees.
Jim Owen moved approval of Resolution to amend Stormwater Management Rules and Regulations in Section II - B (1) and (5). Motion carried. Copy herein incorporated.

4. **Resolution** to amend Stormwater Management Rules and Regulations in Section IV - A and E;

Greg Meszaros of GIS stated that in conjunction with the Ordinance adopted by Council, the Rules and Regulations should state that accumulative effective discounts credits in some not-for profit cases will be 100% instead of 82%.
Jim Owen moved approval of Resolution to amend Stormwater Management Rules and Regulations in Section IV - A and E. Motion carried. Copy herein incorporated.

5. Old Business:

None.

6. New Business:

None.

Meeting adjourned at 10:28 a.m.

Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST

Patricia J. Crick, Clerk

March 22, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, BOW; Betsy Meyer, Barrett Law; Jim Riemke, Street Light Engineering; Tom Manny, Traffic Engineering.

1. Confirm Resolution - Notice to Property Owners - Street Lighting Resolution #240-95, Oakdale Street Light Improvement.

   A letter was received from Janice and Bob Bastress, residents of 925 W. Oakdale Drive, stating they would like to go on record that they would prefer something other than the "ornamental" lantern type lighting that is being placed in the neighborhood.
   Terrance McCaffrey moved to Confirm Street Light Resolution #240-95. Motion carried. Remonstrance period to be up on April 3, 1995. Street Light Engineering to work with Property Owners on placement of lighting.

Hearing adjourned at 11:05 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: All Members & Clerk, BOW; Betsy Meyer, Barrett Law; Jim Riemke, Street Light Engineering; Tom Manny, Traffic Engineering.

1. Confirm Resolution - Notice to Property Owners - Street Lighting Resolution #239-95, Camelot Street Light Improvement.
   Terry McCaffrey moved to Confirm Street Light Resolution #239-95. Motion carried. Remonstrance period to be up on April 3, 1995.

Meeting adjourned at 11:15 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

March 29, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Thelma A. Morris, Clerk Protem

PRESENT: All Members, Clerk Protem, Carolyn Newport, BOW; Rick Orr, Finance Manager; Tom Jones, Street Engineering; Pat Callahan, WPC Engineering; Greg Meszaros, GIS; David Ross, City Engineer; Kathy Friend, Department of Finance; Tim Warren, Water Resources; Charles Bailey & Walter Jordan, Contract Compliance; Mary Jane Slaton, Public Information; Terry Atherton, Utility Administration; Doug Pooler & Chet Shastri, Filtration Plant. Pat Crick absent.

1. RECEIVE BIDS - Lease for Fort Wayne Police Department Vehicles - Response #2 in Bid: Total Lease Rental Price Based on 60 Month Lease Period;
Bids were received and opened from Fort Wayne National Bank, NBD, Norwest, Summers & Company. The bids were removed by Kathy Friend of the Department of Finance to tabulate and make recommendation to the Board for an award later in this meeting.

2. RECEIVE BIDS - Miscellaneous Invitational Bid - Goshen Avenue and Independence Drive Intersection Improvement (CEDIT NEIGHBORHOOD/REDEVELOPMENT COMMISSION);

Brooks Construction Company, Inc.	$9,787.50
Dehner Construction, Inc.	9,905.00
Key Concrete, Inc.	9,790.00
Mergy Construction, Inc.	12,074.00
Newell Construction Company, Inc.	9,865.00
Pioneer Associates, Inc.	13,405.00
Widner Paving, Inc.	9,828.93
Eng. Est.	$8,538.00

Street Engineering to tabulate and report.

3. RECEIVE BIDS - Resolution 6363-95, Cottage Avenue Improvements: South Wayne Avenue to Indiana Avenue (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

Brooks Construction Company, Inc.	22,850.00
Key Concrete, Inc.	14,999.00
Mergy Construction, Inc.	18,303.20
Eng. Est.	$18,165.00

Street Engineering to tabulate and report.

4. AWARD: Resolution 6361-94, Lincolnshire Addition Improvements: Phase II Concord Lane: Fairfield Avenue to Calhoun Street to Mergy Construction, Inc. in the amount of $128,900.75 (CEDIT NEIGHBORHOOD/ REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6361-94 to Mergy Construction, Inc. in the amount of $128,900.25. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

5. AWARD: Resolution 6362-95, Fairfield Avenue: Resurfacing Rudisill Blvd. to Pettit Avenue to Brooks Construction Co., Inc. in the amount of $90,299.25 (CEDIT NEIGHBORHOOD);
Terrance McCaffrey moved approval of Award for Resolution 6362-95 to Brooks Construction Co., Inc. in the amount of $90,299.25. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

6. AWARD: Resolution 6364-95, Beaver Avenue Improvements: Cottage to Wildwood to Mergy Construction, Inc., in the amount of $10,301.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6364-95 to Mergy Construction, Inc. in the amount of $10,301.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

7. Approval of Board Minutes of March 22, 1995;
Jim Owen moved approval of Board Minutes of March 22, 1995. Motion carried. Board Minutes of March 22, 1995 approved as printed and distributed.

8. Approval of Public Hearing Minutes of March 22, 1995 for Resolution 239-95, Camelot Street Lights;
Jim Owen moved approval of Public Hearing Minutes of March 22, 1995 for Resolution 239-95. Motion carried. Public Hearing Minutes of March 22, 1995 for Resolution 239-95 approved as printed and distributed.

9. Approval of Public Hearing Minutes of March 22, 1995 for Resolution 240-95, Oakdale Street Lights;
Terrance McCaffrey moved approval of Public Hearing Minutes of March 22, 1995 approved as printed and distributed. Motion carried. Public Hearing Minutes of March 22, 1995 for Resolution 240-95 approved as printed and distributed.

10. **IMPROVEMENT RESOLUTION #6371-95**, Jefferson Blvd./Maumee Avenue and Washington Blvd. Resurfacing Project (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution #6371-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 3/31 & 4/7/95 with date to receive bids on 4/19/95.

11. Sewer Contract 94-S-44 between Steve L. and Loretta J. Stroup and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Gathings Drive Sanitary Phase II (PRIVATELY FUNDED);
Jim Owen moved approval of Sewer Contract 94-S-44 between Steve L. and Loretta J. Stroup and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

12. Change Order #1 received from S. E. Johnson Cos., for Resolution 6332-94, Hanna Street Improvements, increasing the contract price by $20,876.25. Original contract price was $341,870.43;

Tom Jones of Street Engineering stated that this change order was necessary because of the additional course of level and wedge placed from Jefferson Boulevard to Buchanan Street. Also additional traffic control was warranted to allow placement of these change order items.
Jim Owen moved approval of Change Order #1 from S. E. Johnson Cos., for Resolution 6332-94 increasing the contract price by $20,876.25. Motion carried. Copy on file.

13. Received recommendation from WPC Engineering to accept Sewer Contract 94-S-34, Becketts Run Section II Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved approval of recommendation from WPC Engineering to accept Sewer Contract 94-S-34 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

14. Received recommendation from WPC Engineering to accept Sewer Contract 94-S-38, The Oaks Section IV Sanitary Sewer Extension project as an integral part of the City's sanitary sewer system;
Terrance McCaffrey moved to accept Sewer Contract 94-S-38 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

15. Received recommendation from Jeffrey S. Harlan of First Land Title Company to rescind Declaratory Resolution No. 1442-1981 for the condemnation of property to be used for the extension of Barr Street Mini Mall Downtown Beautification, Lot #126, Hanna's 1st Addition;

Linda Buskirk explained that the property mentioned above is on the east side of Barr Street South of the South right-of-way line of Washington Boulevard to the north right-of-way line of Jefferson. The Board of Public Works decided not to extend the project south of Washington Boulevard and marked the resolution void but did not officially rescind the resolution. First Land was making a title search of the property and found the error, thus requesting the Board to correct the error by rescinding the resolution.
Jim Owen moved to rescind Declaratory Resolution No. 1442-1981. Motion carried. Declaratory Resolution No. 1442-1981 rescinded.

16. Special Street Permit for Thomas Hartzog to construct Honeywell Drive in Northrop Industrial Park (tabled from Nov. 23, 1994);

David Ross, City Engineer, stated that Street Engineering has no problem with the street improvements, but there was a concern by the Utilities regarding storm drainage.

Terry Atherton of Utility Administration stated the storm drainage problem had been resolved.
Jim Owen moved approval of Special Street Permit for Thomas Hartzog to construct Honeywell Drive in Northrop Industrial Park. Motion carried. Copy on file.

17. Discussion and acceptance of Final Report from Malcolm Pirnie on Chemical Use at the Three Rivers Filtration Plant;

Doug Pooler of the Filtration Plant stated that the Final Report from Malcolm Pirnie supports the Initial Report with a few minor modifications.

In order to make significant changes in the process of filtering water at the Filtration Plant, either the chemicals used or the location in which they are added would involve capital improvements.

Mr. Pooler discussed quality versus quantity. The effectiveness of the way chemicals are used could help the City significantly.

Terry Atherton, Director of City Utilities stated that funding for possible improvements will be allocated as needs are weived with available revenues.
Linda Buskirk moved to accept the Malcolm Pirnie Report. Motion carried. Copy on file.

18. Taxi Cab License Renewal for Kenneth R. Harmon, Jr.;
Jim Owen moved approval of Taxi Cab License Renewal for Kenneth R. Harmon, Jr. Motion carried. License to be renewed.

19. Revolving Barrett Law claims approval in the amount of $13,179.02.
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $13,179.02. Motion carried. Claims to be forwarded to the Barrett Law Office for their handling.

20. Claims approval in the amount of $1,836,098.82.
Jim Owen moved approval of claims in the amount of $1,836,098.82. Motion carried. Claims to be forwarded to General Accounting for their handling.

21. Old Business:

I. Linda Buskirk read the following bid tabulation received from Kathy Friend of the Division of Finance for the Lease for Fort Wayne Police Department Vehicles;

Fort Wayne National Bank	1,264,544.00 - 7.75%; monthly payments
NBD	1,246,120.00 - 6.87%; quarterly payments
Norwest Bank	1,223,394.60 - 6.19%; monthly payments
Summers & Company	1,230,443.25 - 5.97%; 2/yearly payments

Kathy Friend recommended that the Board award the bid to the lowest apparent bidder, Norwest Bank. Kathy stated the decision was based on the total payment and interest which was offered on a monthly payment schedule versus twice a year.
Terrance McCaffrey moved approval of the award to Norwest Bank for the Lease for the Fort Wayne Police Department Vehicles. Motion carried. Purchase Order to be issued.

II. Pat Callahan of WPC Engineering distributed a Draft of the Master Plan to the Board Members.
Jim Owen requested that Pat Callahan make a presentation on the Draft of the Master Plan at the next Board meeting.

21. New Business:

I. Linda Buskirk stated that a discussion on the Comcast Cable Franchise Agreement will be held in two weeks.

II. Linda Buskirk apprised the Board about a meeting that was held with contractors about how they feel about conducting business with the City. Main concerns are; (1) billing and payment (2) bid packages. She stated that Task Forces will to be formed to make the City more "User Friendly" in relating to contractors.

Jim Owen moved to adjourn the March 29, 1995 Board of Works Meeting. Motion carried.

Meeting adjourned at 10:20 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance McCaffrey
Terrance P. McCaffrey, Member

ATTEST Thelma Morris
Thelma Morris, Clerk Protem

March 29, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 10:20 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Thelma A. Morris, Clerk Protem

PRESENT: All Members, Clerk Protem & Carolyn Newport, BOW; Greg Meszaros, GIS; Terry Atherton, Utility Administration; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Pat Callahan, WPC Engineering, Kathy Friend, Department of Finance. Patricia Crick, absent.

1. Approval of Board Minutes of March 22, 1995:
   Jim Owen moved approval of Board Minutes of March 22, 1995. Motion carried. Minutes approved as printed and distributed.

2. Discussion/update on the status of impervious surface stormwater billing:

   Greg Meszaros of GIS stated that Fort Wayne Stormwater Utility customers began to see their monthly bills change starting on March 26, 1995 as a result of the new rate structure approved in January by the Fort Wayne City Council. Stormwater bills for non-residential customers are based on impervious or hard surface area on their property.

   Greg thanked staff members and consultants that have been working on this system for three years.

   Greg explained to the Board the process used by Stormwater Management Board.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 10:30 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Thelma A. Morris
Thelma A. Morris, Clerk Protem

April 5, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Carolyn Newport, BOW; R. David Boyer, Associate City Attorney; David Ross, City Engineer; Terry Atherton, Utility Administration; Pat Callahan & Marion Robinson, WPC Engineering; Mike Thornson, Stormwater Engineering; Mary Jane Slaton, Public Information Office; Rick Orr, Finance Manager; Charles Bailey & Walter Jordan, Contract Compliance; Ron Fletcher, Redevelopment; Jeff Grogg, Street Engineering, Timothy Ochs & James Federoff, Attorneys, Beckman, Lawson, Sandler, Snyder & Federoff; Chris Stauffer, Developer.

1. AWARD: Miscellaneous Invitational Bid: Goshen and Independence Drive Intersection Improvement to Widner Paving, Inc. in the amount of $9,568.93. There was a calculation error on Widner´s bid tabulation sheet which made it appear at the bid opening that Widner was not the low bidder. However, Street Engineering´s retabulation proved that Widner Paving, Inc. was the lowest bidder (CEDIT NEIGHBORHOOD/REDEVELOPMENT COMMISSION);
Terrance McCaffrey moved approval of Award for Miscellaneous Bid for Goshen and Independence Drive Intersection Improvement to Widner Paving, Inc. in the amount of $9,568.93. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

2. AWARD: Resolution 6363-95, Cottage Avenue Improvements: South Wayne Avenue to Indiana Avenue to Key Concrete Co., Inc. in the amount of $14,999.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6363-95 to Key Concrete Co., Inc. in the amount of $14,999.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. Approval of Board Minutes of March 29, 1995;
Jim Owen moved approval of Board Minutes of March 29, 1995. Motion carried. Minutes approved as printed and distributed.

4. Auto Liability and General Liability Claims in the amount of $94,852.47 per City Ordinance G-18-89;
Jim Owen moved approval of Auto Liability and General Liability Claims in the amount of $94,852.47. Motion carried. Claims forwarded to Risk Management for handling.

5. **IMPROVEMENT RESOLUTION** 6373-95, Science Central on Clinton Street North: Turn Lane and Sidewalk (CEDIT/CDBG);
Jim Owen moved approval of Improvement Resolution 6373-95, Science Central on Clinton Street North: Turn Lane and Sidewalk. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/7 & 4/14/95 with date to receive bids 4/26/95.

6. **RESOLUTION** amending the lease and approving the extension of the lease between the City of Fort Wayne and APCOA, Inc. for Civic Center Parking Garage (subject to approval of Fort Wayne City Council and the Mayor of Fort Wayne);

   Linda Buskirk stated that the above mentioned Resolution amends the lease and approves the extension of the lease between the City of Fort Wayne and APCOA, Inc. for Civic Center Parking Garage for an additional five (5) years.
   Jim Owen moved approval of the Resolution amending the lease and approving the extension of the lease between the City of Fort Wayne and APCOA, Inc. for Civic Center Parking Garage. Motion carried. Resolution approved subject to Councilmanic approval. Linda Buskirk moved to amend a Scribner´s error in the Resolution that referred to the original agreement being approved in 1995 instead of 1990. Motion carried. Copy herein incorporated.

7. Encroachment License Agreement between the City and Regency Canterbury Limited Partnership for a Canterbury Green sign to be placed in the median of Roebuck Blvd., just west of St. Joe Road. Various departments have approved;

Jim Owen moved approval of Encroachment License Agreement between the City and Regency Canterbury Limited Partnership for a Canterbury Green sign to be placed in the median of Roebuck Blvd., just west of St. Joe Road. Motion carried. Encroachment License Agreement to be forwarded to the Allen County Recorder's Office for recordation.

8. Received request for Waiver of Barricade Fees from American Red Cross for the Bloodmobile on May 4, 1995, July 11, 1995 and September 22, 1995 from 9 A.M. - 4 P.M. to be parked on Berry Street, west of Court Street in the parking lane (in front of Court House);
   Jim Owen moved approval of request for Waiver of Barricade Fees from American Red Cross for the Bloodmobile on May 4, 1995, July 11, 1995 and September 22, 1995. Motion carried. Fees to be waived and permits to be issued.

9. Received request for Waiver of Barricade Fees from Pontiac Street Business for their Harambee Festival to be held on May 20, 1995 beginning at Lewis and Hanna to Pontiac and Hanna. This is the fifth annual community awareness event;
   Jim Owen moved approval of request for Waiver of Barricade Fees from Pontiac Street Business for their Harambee Festival to be held on May 20, 1995. Motion carried. Fees to be waived and permit to be issued.

10. Change Order #1 and Final received from All Star Excavating for Contract 511-1993, Edgewater Avenue/Columbia Avenue decreasing the contract price by $6,279.00. Original contract price was $29,753.00;
    Jim Owen moved approval of Change Order #1 and Final received from All Star Excavating for Contract 511-1993 decreasing the contract price by $6,279.00. Motion carried. Copy on file.

11. Received recommendation from WPC Engineering to accept Resolution 511-1993, Edgewater Avenue/Columbia Avenue Combination Sewer Rehabilitation project as an integral part of the City's sanitary sewer system;
    Jim Owen moved to accept the work performed on Resolution 511-1993 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

12. Received recommendation from WPC Engineering to accept Franke Plating Combination Sewer Reroute as an integral part of the City's sanitary sewer system;
    Jim Owen moved to accept the work performed on Franke Plating Combination Sewer Reroute as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

13. Professional Services Agreement between Fort Wayne Water Pollution Control Utility by and through its Mayor and Board of Public Works and RUST Environment and Infrastructure to provide facility management services for the WPC Plant until the City hires a Superintendent. The project estimated maximum is $59,000.00;

    Terry Atherton of Utility Administration explained the scope of services as follows:

    I. Phase I - Provide an on-site interim superintendent 3 days per week from notice to proceed from City through and including April 21, 1995. During this phase, the interim superintendent shall provide "shadow management" with the City's wastewater facility management team in order to become familiar with the overall current status of the department as well as implemented programs, policies and procedures.

    II. Phase II - Provide an on-site interim superintendent 5 days per week from April 24, 1995, except for holidays, for a period of up to 2 months through and including June 30, 1995. The Phase II interim superintendent task may be completed prior to June 30, 1995 if the City's replacement superintendent begins employment prior to this date or may be extended until such time an appropriate replacement is hired through written notice from the City. It is the intent the interim superintendent shall perform typical day to day managerial duties.

    III. ***

    The maximum total compensation per major section of the work is as follows:

Phase I	Interim Superintendent (3 days/week)	$6,000
Phase II	Interim Superintendent (5 days/week)	25,000
	Program Evaluation (Lump Sum)	18,000
Phase III	Interim Superintendent (3 days/week)	10,000
	Project Estimated Maximum	59,000

*** III. The purpose of Phase III is to provide management continuity to the new City Superintendent.

Jim Owen moved approval of Professional Services Agreement between Fort Wayne Water Pollution Control Utility by and through its Mayor and Board of Public Works and RUST Environment and Infrastructure to provide facility management services for the WPC Plant until the City hires a Superintendent. Motion carried. Copy on file in vault.

14. **RESOLUTION** to authorize the Fort Wayne Redevelopment Commission to construct a parking lot in Headwaters Park and to appropriate Headwaters bond money to pay for the construction;
Jim Owen moved approval of Resolution to authorize the Fort Wayne Redevelopment Commission to construct a parking lot in Headwaters Park and to appropriate Headwaters bond money to pay for the construction. Motion carried. Copy herein incorporated.

15. Recommendation on how to accept and implement Sanitary Sewer Master Plan;

Pat Callahan of WPC Engineering distributed to the Board a proposal for implementing the Master Plan. This document evaluated the ability of the sewer system´s physical components to perform as demanded by customers and regulators. It also recommended improvements where inadequate components were found, identified issues associated with making improvements, and suggested ways to prioritize projects.

Pat Callahan discussed the following proposals as recommended by the WPC Utility:

I. Ask the BOW to acknowledge the completion of the work covered by the consultants contract.
II. Group proposed improvements into programs.
III. Assign program managers to each program.
IV. Have each program manager prepare a document that:
  a. Describes the problem that makes the program necessary.
  b. Lists the issues associated with the problem.
  c. Summarizes the master plan´s comments on suggested improvements.
  d. Lays out a draft of program implementation plant.
  e. Recommends projects to be included in the 1996 CIP Budget to the BOW in a public forum.
V. Have each program manager educate the utilities customers on the need for the various programs, issues involved, an alternative solutions.
VI. Have each program manager modify the implementation program to reflect the input from the utilities customers.
VII. Have each program manager bring recommended policy, project priorities, and funding methods to the BOW for approval prior to the preparation of the 1997-2001 CIP budget.

Linda Buskirk suggested that the program managers present issues associated with the Master Plan to the Board over several meetings instead of one session.

16. Revision of contract terms for River Bend Bluffs Sanitary Sewer system for Section V;

Pat Callahan of WPC Engineering stated that the original development started in 1987. Initially when the development was proposed, the Sewer Utility wanted a gravity sewer extended to take care of this subdivision but the developer felt that the cost was too great to be supported by just one phase of the development. At that time, the developer asked to be allowed to put in a temporary lift station to serve the first phase. The second and third phases were built still using the lift station and at some point the lift station was moved. Before the City would approve a fourth phase, a phased schedule was developed for a gravity line to serve the subdivision and there were to be three phases in abandoning the lift station. In the first phase for Phase V, the developer was to submit construction drawings. In the second phase of Phase V, the developer was to acquire the right-of-way to build the gravity sewer. On the final phase, they were to build the gravity sewer and abandon the lift station.

Now, in the second phase of the elimination of a lift station, the developer is having trouble obtaining easements. In lieu of providing easements and in order to get the fifth phase of the subdivision accepted, the City allowed the developer to post a bond and that gave him an additional year to acquire the easements.

Jim Federoff, Attorney representing Chris Stauffer, Riverbend Development, addressed the Board. He stated that because of economic conditions, the gravity line was not started in the beginning of the development and the lift station was installed. The sewer facilities in this area not serve only Riverbend Bluffs but a couple of other areas not yet platted. In order to obtain the easements to cross the adjacent Cottonwood Subdivision, the developer of Cottonwood who is also a sewer contractor, would like to receive the contract for installation of the gravity sewer line. The bid for that sewer line was approximately $270,000 and that does not include the cost for acquiring the easements. Other bids for the same gravity line were roughly $135,000. The developer fees that this is economically unfeasible.

Mr. Federoff proposed the following alternative solutions.

I. Upgrade the lift station, providing a state of the art alarm system.

II. Arrive at a payment to reflect what future maintenance costs would be for the lift station.

III. Enter into an agreement with Utility Center for their services of upgrading and future maintenance.

Pat Callahan stated that his argument against the proposals given by Mr. Federoff is that the City is maintaining the lift station at this time and it would be a bad policy for anyone else to maintain it. Also there is a concern of how long the Utility Center will be in business.

Chris Stauffer, Developer, stated that he would run the gravity sewer but needed help with obtaining easements.

Pat Callahan stated that the City has offered to pay oversizing. Also he stated there is the ability to write a reimbursement contract so that anyone who ties in will reimburse the developer.
Jim Owen moved to table revision of contract terms for River Bend Bluffs Sanitary Sewer system for Section V and recommended that the developer and architect address the Board at a later date with a specific recommendation of condemnation of easements. Motion carried.

17. Claims approval in the amount of $8,831,033.43.
Jim Owen moved to approve claims in the amount of $8,831,033.43. Motion carried. Claims forwarded to General Accounting for their handling.

18. Old Business:

None.

19. New Business:

None.

Meeting adjourned at 11:10 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrany P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 12, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Carolyn Newport & Ann Smith, BOW; Charles Bailey & Walter Jordan, Contract Compliance; David Ross, City Engineer; Gary Baeten, Neighborhood Code; Mike Thornson, Stormwater Engineering; Walt Borcherding & Tom Jones, Street Engineering; Tim Warren, Water Resources; Pat Callahan, WPC Engineering; Mary Jane Slaton, Public Information Office; Rick Orr, Finance Manager; Linda Hossinger, Comcast Cable.

1. **RECEIVE BIDS** - Resolution 6369-95, Lower Huntington Road: Bluffton to Baer Field Thruway (CEDIT BOND/CEDIT NEIGHBORHOOD/STORMWATER UTILITY).

Brooks Const.	977,083.75
Wayne Asphalt	926,016.80
Eng. Est.	$1,010,803.00

Bernardin, Lochmueller & Associates to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6370-95, Maplewood Addition Spot Concrete Pavement Repair (CEDIT NEIGHBORHOOD).

Brooks Const.	80,016.00
Dehner Const.	77,784.72
Key Concrete, Inc.	70,914.60
Mergy Const.	86,822.00
Newell Const.	79,645.60
Pioneer Associates, Inc.	71,142.60
Widner Paving, Inc.	61,381.00
Eng. Est.	$71,310.00

Street Engineering to tabulate and report.

3. Approval of Board Minutes of April 5, 1995;
Jim Owen moved approval of Board Minutes of April 5, 1995. Motion carried. Minutes approved as printed and distributed.

4. **IMPROVEMENT RESOLUTION 6377-95,** Southwood Park Curbing Phase VII (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6377-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners April 14, 1995 with date for hearing to be held on April 26, 1996.

5. **IMPROVEMENT RESOLUTION 6378-95,** Lafayette Street Retaining Wall Repairs (BOARD OF PUBLIC WORKS CONTINGENCY FUND);
Terrance McCaffrey moved approval of Improvement Resolution 6378-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors April 14 & 21, 1995 with date to receive bids on May 3, 1995.

6. **IMPROVEMENT RESOLUTION 6379-95,** East State Blvd. Sidewalk Improvement: Kentucky Avenue to Florida Drive (CEDIT/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Improvement Resolution 6379-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners April 14 & 21, 1995 with date for hearing to be held on April 26, 1996.

7. Authorization request for Additional Services of Engineer received from Bernardin-Lochmueller & Associates, Inc. pertaining to Agreement dated October 5, 1994 (Lower Huntington Road). The additional services include adding a turn lane at Premier Drive. The additional services will be performed in a hourly rate basis with a not to exceed cost of $2,500.00. These services will be funded through CEDIT BOND Account. City Engineering recommends approval;

   Dave Ross, City Engineer, stated this request is necessary for the addition of a turn lane at Premiere to accommodate a proposed site development at the northeast corner of the intersection of Premier and Lower Huntington Road.

Jim Owen moved approval of request for Additional Services of Engineering received from Bernardin-Lochmueller & Associates, Inc. pertaining to Agreement dated October 5, 1994 (Lower Huntington Road). Motion carried. Copy on file in vault.

8. Sewer Contract 94-S-17 between Ben-Mar Homes and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Carrington Pointe Manufactured Housing Park Sanitary Extension. This is in Edgewood Industrial Park. (PRIVATELY FUNDED);
   Jim Owen moved approval of Sewer Contract 94-S-17 between Ben-Mar Homes and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

9. General Service Agreement between Strand Associates, Inc. and City of Fort Wayne Utility Department and Board of Public Works to provide engineering services in matters arising from negotiations and/or conditions of any NPDES Permit and/or SDWA Permit issued by either the Indiana Department of Environmental Management (IDEM) or the United States Environmental Protection Agency (USEPA) to the City of Fort Wayne;

   Pat Callahan of WPC Engineering stated that the above agreement is a General Service Agreement intended to facilitate Fort Wayne's regulatory compliance activities and is predicated upon the engineer's acknowledged national credentials and existing relationships with the City, IDEM and USEPA.
   Jim Owen moved approval of General Services Agreement between Strand Associates, Inc. and City of Fort Wayne Utility Department and Board of Public Works to provide engineering services in matters arising from negotiations and/or conditions of any NPDES Permit and/or SDWA Permit issued by either the Indiana Department of Environmental Management (IDEM) or the United States Environmental Protection Agency (USEPA) to the City of Fort Wayne. Motion carried. Copy on file in vault.

10. Change Order #4 and Amended Final received from Brooks Construction Co., Inc. for Resolution 6333-94, Coldwater Road: Coliseum to Collins Road increasing the contract price by $2,699.60. Original contract price was $309,556.89;

    David Ross, City Engineer, stated this change order was necessary because an invoice was received from a subcontractor through Brooks Construction for the signal modernization after the project was closed out.
    Jim Owen moved approval of Change Order #4 and Amended Final received from Brooks Construction Co., Inc. for Resolution 6333-94 increasing the contract price by $2,699.60. Motion carried. Copy on file.

11. Received recommendation from WPC Engineering to accept Contract 94-S-45, Brookside Estates Sanitary Extension Lot #75 project as an integral part of the City's sanitary sewer system;
    Jim Owen moved to accept Contract 94-S-45 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

12. Received recommendation from City Property Manager to accept the Expansion to Lease Agreement by and between KLEBER AND KLEBER, an Indiana General Partnership d/b/a TK ENTERPRISES AND CITY OF FORT WAYNE, DEPARTMENT OF NEIGHBORHOOD CODE ENFORCEMENT for the additional office space needed during the summer/fall programs. Additional space will be identified as Suite 333 E. at 315 East Washington Blvd.;
    Jim Owen moved to approve recommendation from City Property Manager to accept the Expansion to Lease Agreement by and between KLEBER AND KLEBER, an Indiana General Partnership d/b/a TK ENTERPRISES AND CITY OF FORT WAYNE, DEPARTMENT OF NEIGHBORHOOD CODE ENFORCEMENT for the additional office space needed during the summer/fall programs. Motion carried. Copy on file in vault.

13. Claims approval in the amount of $13,149,840.21.
    Jim Owen moved approval of claims in the amount of $13,149,840.21. Motion carried. Claims forwarded to General Accounting for their handling.

14. Taxi Cab License Renewal for George W. Coleman;
    Terrance McCaffrey moved approval of Taxi Cab License Renewal for George W. Coleman. Motion carried. License to be renewed.

15. Taxi Cab License Applicant for Chester L. Moore;

Jim Owen moved approval of Taxi Cab License Applicant for Chester L. Moore. Motion carried. License to be issued.

16. Approval of Cable Television Franchise Agreement renewal for Comcast Cablevision of Indiana, L.P.;

Linda Buskirk stated that the following two items are being introduced to Council regarding Cable Television.

I. Regulatory Ordinance. This sets the rules for the general governing of cable television, and should help City officials, the public and Comcast understand the level of cable television service that any Franchise holder must provide and sustain through the life of a franchise.

II. Franchise Agreement between the City of Fort Wayne and Comcast Cablevision of Fort Wayne L. P. This gives Comcast the right to operate a cable television company in Fort Wayne and its provisions include the specific terms by which Comcast and the City must live through the duration of the Franchise.

The Franchise Agreement is for a 15 year renewal and it includes total rebuild of our system to provide fiberoptic services to all customers.

Linda Buskirk and Linda Hossinger, General Manager of Comcast Cable, described other features of the new proposed agreement.
Jim Owen moved to table approval of Cable Television Franchise Agreement renewal for Comcast Cablevision of Indiana, L.P. until next week for further review. Motion carried. Agreement tabled until next week.

17. Old Business:

18. New Business:

I. Deb Farrell, Utility Administration, apprised the Board that the budget process begins on May 1, 1995 and reminded them that each member was previously asked to be on a Utility committee to follow the process.

II. Deb Farrell also stated that a temporary branch of City Utilities Customer Service is being opened at Southgate Shopping Center May 1, 1995.

Meeting adjourned at 10:10 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 19, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, & Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Charles Bailey & Walter Jordan, Contract Compliance; Rick Orr, Finance Manager; Tom Jones, Jeff Grogg & Walt Borcherding, Street Engineering; Tom Manny, Traffic Engineer; David Ross, City Engineer; Terry Atherton, Utility Administration; Kathy Friend, Department of Finance; Mary Jane Slaton, Public Information Office; Steve Martin, City Utilities Accounting; Judy Black, New Water/Sewer Permits; Pat Callahan & Mike Hicks, WPC Engineering; Mike Thornson, Stormwater Engineering; Linda Hossinger, Comcast Cablevision; Darren Vedder, Hoagland Masterson Neighborhood Association.

1. **RECEIVE BIDS** - Resolution 6360-95, Maywood Circle Street Reconstruction: Fairoak Drive to Interlaken Drive (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

Brooks Const.	101,380.00
Wayne Asphalt	99,505.00
Widner Paving, Inc.	137,008.90
Eng. Est.	$99,617.50

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Resolution 6371-95, Jefferson Blvd./Maumee Avenue and Washington Blvd. (CEDIT BOND);

Brooks Const.	945,916.60
S. E. Johnson	973,368.39
Wayne Asphalt	973,337.62
Eng. Est.	$999,651.35

Beam, Longest & Neff to tabulate and report.

3. AWARD: Improvement Resolution 6370-95, Maplewood Addition Spot Concrete Pavement Repair to Widner Paving, Inc. in the amount of $61,381.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Improvement Resolution 6370-95 to Widner Paving, Inc. in the amount of $61,381.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

4. AWARD: Improvement Resolution 6369-95, Lower Huntington Road: Bluffton Road to Baer Field Thruway to Wayne Asphalt Company in the amount of $926,016.80 (CEDIT BOND/CEDIT NEIGHBORHOOD/STORMWATER UTILITY) PRIOR APPROVAL REQUESTED;
Jim Owen moved approval of Award for Improvement Resolution 6369-95 to Wayne Asphalt Company in the amount of $926,016.80. Motion carried. Notice of Award to be sent.

5. Approval of Board Minutes of April 12, 1995;
Jim Owen moved approval of Board Minutes of April 12, 1995. Motion carried. Minutes approved as printed and distributed.

6. Contract 6361-94 between the City of Fort Wayne and Mergy Construction Co., Inc. for Lincolnshire Addition Improvements Phase II, Concord Lane: Fairfield Avenue to Calhoun Street in the amount of $128,900.75 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Contract 6361-94 between the City of Fort

Wayne and Mergy Construction Co., Inc. in the amount of $128,900.75. Motion carried. Contract 6361-94 approved subject to Council approval.

7. Contract 6362-95 between the City of Fort Wayne and Brooks Construction Co., Inc. for Fairfield Avenue Resurfacing: Rudisill Blvd. to Pettit Avenue in the amount of $90,299.25 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6362-95 between the City of Fort Wayne and Brooks Construction Co., Inc. in the amount of $90,299.25. Motion carried. Notice to proceed to be sent.

8. Contract 6363-95 between the City of Fort Wayne and Key Concrete Inc. for Cottage Avenue Improvements: South Wayne Avenue to Indiana Avenue in the amount of $14,999.00 (CEDIT NEIGHBORHOOD/ REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Contract 6363-95 between the City of Fort Wayne and Key Concrete Inc. in the amount of $14,999.00. Motion carried. Notice to proceed to be sent.

9. Contract 6364-95 between the City of Fort Wayne and Mergy Construction Co., Inc. for Beaver Avenue Improvements: Cottage Avenue to Wildwood Avenue in the amount of $10,301.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Contract 6365-95 between the City of Fort Wayne and Mergy Construction Co., Inc. in the amount of $10,301.00. Motion carried. Notice to proceed to be sent.

10. Traffic Signal Maintenance Agreement between Allen County and the City of Fort Wayne;

    Tom Manny, Traffic Engineer, apprised the Board of the following:

    I. Subject to County approval, the City shall determine the adjustment and timing of the traffic signals on county roads in Allen County.

    II. All new traffic signals which are to be installed by private concerns on county roads by agreement, within Allen County, shall be submitted to the City for the review and recommendations prior to the County granting permission for such installation.

    III. The City shall accept signal installations for maintenance after the County has furnished the "City" a copy of a completion report indicating that the signal is installed in accordance with Standards and Specifications.
    Jim Owen moved approval of Traffic Signal Maintenance Agreement between Allen County and the City of Fort Wayne. Motion carried. Copy on file.

11. Encroachment License Agreement between the City and Ralph Wehrly for a lawn irrigation system to be placed at 2624 Buckhurst. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and Ralph Wehrly for a lawn irrigation system to be placed at 2624 Buckhurst. Motion carried. Agreement forwarded to Allen Recorder's Office for recordation.

12. Encroachment License Agreement between the City and Matt Momper for a lawn irrigation system to be placed at 4702 Wyndemere Lane. Various departments have approved;
Jim Owen moved approval of Encroachment Agreement between the City and Matt Momper for a lawn irrigation system to be placed at 4702 Wyndemere Lane. Motion carried. Agreement forwarded to Allen County Recorder's Office for recordation.

13. **RESOLUTION** Renewing the City of Fort Wayne's Cable Television Franchise with Comcast Cablevision of Fort Wayne, L.P. (TABLED FROM APRIL 12, 1995);
Jim Owen moved approval of Resolution Renewing the City of Fort Wayne's Cable Television Franchise with Comcast Cablevision of Fort Wayne, L.P. Motion carried. Copy herein incorporated.

14. Change Order #3 and Final received from Scheidleman Excavating for Contract 925-1993, Haffner Drive increasing the contract price by $350.00. Original contract price was $154,344.04;

    Pat Callahan of WPC Engineering stated Change Order #3 is for final restoration of the Haffner Drive project.
    Terrance McCaffrey moved approval of Change Order #3 and Final received from Scheidleman Excavating for Contract 925-1993, Haffner Drive increasing the contract price by $350.00. Motion carried. Copy on file.

15. Change Order #9 received from Brooks Construction Co., Inc. for Resolution 6279-92, Getz Road: Illinois Road to Covington Road decreasing the contract price by $9,872.56. Original contract price was $738,491.36;
    Jim Owen moved approval of Change Order #9 received from Brooks Construction Co., Inc. for Resolution 6279-92, Getz Road decreasing the contract price by $9,872.56. Motion carried Copy on file.

16. Sewer Reimbursement to North Eastern Construction Co., Inc., 10808 LaCabreah Lane in the amount of $1,307.87 collected from Woodland Lake North. Property to be served is Lot 118, Woodland Lake Section VII, 1525 Woodland Crossing under Sewer Agreement 88-S-09;
    Jim Owen moved approval of Sewer Reimbursement to North Eastern Construction Co., Inc., 10808 LaCabreah Lane in the amount of $1,307.87 collected from Woodland Lake North. Motion carried. Sewer Reimbursement forwarded to New Water/Sewer Permit Department for their handling.

17. Revolving Barrett Law claims approval in the amount of $9,959.27;
    Jim Owen moved approval of Revolving Barrett Law claims approval in the amount of $9,959.27. Motion carried. Claims forwarded to the Barrett Law Office for their handling.

18. Claims approval in the amount of $3,552,044.35:
    Jim Owen moved approval of claims in the amount of $3,552,044.35. Motion carried. Claims forwarded to General Accounting for their handling.

19. Taxi Cab License Applicant David Rigby;
    Jim Owen moved approval of Taxi Cab License Applicant David Rigby. Motion carried. License to be issued.

20. Old Business:

    I. Jim Owen inquired about the status of River Bend Bluffs.

    David Boyer stated this would be an agenda item next week.

21. New Business:

    I. Received recommendation from WPC Engineering to accept the work performed on Res. 925-1993, Haffner Drive Sanitary Sewer as an integral part of the City's sanitary sewer system.
    Jim Owen moved to accept the work performed on Resolution 925-1993 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

    II. Request received from Hoagland Masterson Neighborhood to make improvements and place sign on triangle area at the intersection of Taylor and Fairfield Streets which is property owned by the City. Darrin Vedder was in attendance on behalf of the Association.
    Terrance McCaffrey approved the request from the Hoagland Masterson Neighborhood contingent upon further documentation/agreement. Motion carried.

    III. Kathy Friend of the Department of Finance presented a memorandum to

the Board of Public Works requesting that the City of Fort Wayne reimburse legal expenses incurred by the Board of Trustees for the Allen County Regional Water & Sewer District in regard to litigation that may be necessary to obtain certain operating data needed to make a determination of the fair market value of the Utility Center assets. Reimbursement for said expenses will be made upon claim by the Board of Trustees. The total amount of reimbursement for said expenses shall be limited to $25,000.
Linda Buskirk moved approval of request that the City of Fort Wayne reimburse legal expenses incurred by the Board of Trustees for the Allen County Regional Water & Sewer District in regard to litigation that may be necessary to obtain certain operating data needed to make a determination of the fair market value of the Utility assets. Motion carried. Copy herein incorporated.

Meeting adjourned at 9:50 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 26, 1995

Board of Public Works
Office of the Board
Third Floor Conference Room
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Associate City Atty.; Carl O'Neal, Transportation; Deb Farrell, Utility Administration; Tom Manny, Traffic Engineer; David Ross, City Engineer; Rick Orr, Finance Manager; Jim Riemke, Street Light Engineering; Mary Jane Slaton, Public Information Office; Tom Jones, Street Engineer; Charles Bailey, Contract Compliance; Pat Callahan, WPC Engineering; Mike Thornson, Stormwater Engineering; Greg Meszaros, GIS; Doug Pooler, Filtration Plant; Tim Ochs & James Federoff, Attorneys representing River Bend Bluffs, Mark Strong, Engineering Vision Inc.

1. **RECEIVE BIDS** - Resolution 6373-95, Science Central on Clinton Street North: Turn Lane & Sidewalk (CEDIT/CDBG);

	Base	Alt. 1	Alt. 2	Alt. 3
Brooks Const.	42,522.00	14,006.00	8,750.00	11,000.00
Mergy Const.	56,354.69	17,742.40	10,258.75	5,250.00
Wayne Asphalt	47,614.00	20,778.70	8,802.50	2,250.00
Widner Paving, Inc.	72,595.00	19,343.30	21,337.50	8,500.00
Eng. Est.	$53,847.50	16,331.50	11,776.25	10,000.00

Morrison, Kattman, Menze Inc. to tabulate and report.

2. **RECEIVE BIDS** - Resolution 239-95, Camelot Addition Street Light Improvement (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

T & F Const.	24,472.50
Weikel Line Co.	25,192.50
Eng. Est.	$31,028.75

Street Engineering to tabulate and report.

3. **RECEIVE BIDS** - Resolution 240-95, Oakdale Drive Street Light Improvement (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

T & F Const.	9,828.25
Weikel Line Co.	19,199.75
Eng. Est.	$11,406.00

Street Engineering to tabulate and report.

4. AWARD: Resolution 6360-95, Maywood Circle Street Reconstruction: Fairoak Drive to Interlaken Drive to Wayne Asphalt & Construction Co., Inc. in the amount of $99,505.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Resolution 6360-95 to Wayne Asphalt & Construction Co., Inc. in the amount of $99,505.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

5. AWARD: Resolution 6371-95, Jefferson Blvd./Maumee Avenue and Washington Blvd. to Brooks Construction Company, Inc. in the amount of $945,916.60 (PRIOR APPROVAL REQUESTED (CEDIT BOND);
Jim Owen moved approval of Award for Resolution 6371-95 to Brooks Construction Company, Inc. in the amount of $945,916.60. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

6. Approval of Board Minutes of April 19, 1995;
Jim Owen moved approval of Board Minutes of April 19, 1995. Motion carried. Minutes approved as printed and distributed.

7. Sewer Contract 95-S-5 between Centennial Development Corporation and Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Centennial Industrial Park Section X Sanitary Extension (PRIVATELY FUNDED);

Jim Owen moved approval of Sewer Contract 95-S-5 between Centennial Development Corporation and Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. Water Contract 9507 between Centennial Development Corporation and Fort Wayne Water Utility to construct water main systems to serve Centennial Park Industrial Park Section X (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9507 between Centennial Development Corporation and Fort Wayne Water Utility. Motion carried. Copy on file.

9. Water Contract 9306 between Allen County Redevelopment Commission and the Fort Wayne Water Utility to construct water main systems to serve Nestle Distribution Center (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9306 between Allen County Redevelopment Commission and Fort Wayne Water Utility. Motion carried. Copy on file.

10. **IMPROVEMENT RESOLUTION 6376-95,** Fairfield Avenue Improvements: Jefferson Blvd. to Superior Street Concrete Rehabilitation and Replacement (3R PROJECT) (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6376-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/28 and 5/5/95 with date to receive bids on 5/17/95.

11. **IMPROVEMENT RESOLUTION 6380-95,** CBD Curb Ramps: Phase II (CEDIT-At-Large);
Terrance McCaffrey moved approval of Improvement Resolution 6380-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 4/28 and 5/5/95 with date to receive bids on 5/17/95.

12. **IMPROVEMENT RESOLUTION 6381-95,** Sub-Area Commercial Capital Improvement Project B-94 (CDBG);
Jim Owen moved approval of Improvement Resolution 6381-95. Motion carried. Advertise Notice to Contractors 4/28 & 5/5/95 with date to receive bids on 5/17/95.

13. **IMPROVEMENT RESOLUTION 6384-95,** Edsall Avenue/Schele Avenue Improvements (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6384-95. Motion carried. Advertise Notice to Contractors 4/28 & 5/5/95 with date to receive bids on 5/17/95.

14. **WATER MAIN EXTENSION RESOLUTION 1064-95** to construct a water main on the west side of South Anthony Blvd. (CUMULATIVE CAPITAL FUND/WATER UTILITY/REVOLVING BARRETT LAW);
Jim Owen moved approval of Water Main Extension Resolution 1064-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners 4/28/95 with date for hearing to be held on 5/10/95.

15. Encroachment License Agreement between the City and George and Elisabet Peppas for a lawn irrigation system to be placed at 2102 Forest Park. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City and George and Elisabeth Pappas for a lawn irrigation system to be placed at 2102 Forest Park. Motion carried. Agreement forwarded to the Allen County Recorder's Office for recordation.

16. Contract for Consulting Services between EMA Services, Inc. and the City of Fort Wayne for Laboratory Information Management System (LIMS) Applications Start Up for the Fort Wayne Water Filtration Plant not to exceed $98,800.00 (WATER UTILITY CAPITAL IMPROVEMENTS);

Doug Pooler of the Filtration Plant stated that the base LIMS prepared the City for automating the laboratory area at the Filtration Plant and with the LIMS personal computers and base software installed and networked, the plant and staff are now ready to help EMA program and implement the LIMS application programs. The above agreement is for EMA services to assist the staff for the LIMS Applications Start Up that are necessary for successful and complete implementation of laboratory area automation.
Terry McCaffrey moved approval of Contract for Consulting Services between EMA Services, Inc. and the City of Fort Wayne for Laboratory Information Management System (LIMS) Applications Start Up for the Fort Wayne Water Filtration Plant. Motion carried. Copy on file in vault.

17. Easement Agreement between the Macedonian Bulgarian Eastern Orthodox St. Nicholas Church, Indiana Vocational Technical State College (Ivy Tech) and the City of Fort Wayne to Grant an easement over portion of church property for a public sidewalk and associated improvements to be constructed by Ivy Tech and a condition of approval for a driveway permit. City Engineering and Traffic Engineering has reviewed and recommends approval;
Jim Owen moved approval of Easement Agreement between the Macedonian Bulgarian Eastern Orthodox St. Nicholas Church, Indiana Vocational Technical State College (Ivy Tech) and the City of Fort Wayne to Grant an easement over portion of church property for a public sidewalk and associated improvements to be constructed by Ivy Tech and a condition of approval for a driveway permit. Motion carried. Copy on file in vault.

18. Professional Services Agreement Addendum No. 1 to Original Agreement dated December 7, 1994 between the City of Fort Wayne and Bonar & Associates, Inc. for Professional Services to provide ninety (90) each legal descriptions and forty (40) each plat drawings for Phase II, East/North Segment of the Army Corps Flood Control Project. Director of Transportation Engineering recommends approval;

    Carl O'Neal, Director of Transportation stated in Addendum No. 1, Bonar & Associates agree to complete the scope of work for the East North segment. This is to be funded by the Allen County Flood Protection Agency.
    Jim Owen moved approval of Professional Services Agreement Addendum No. 1 to Original Agreement dated December 7, 1994 between the City of Fort Wayne and Bonar & Associates, Inc. Motion carried. Copy on file in vault. Notice to Proceed to be sent.

19. Agreement to Assign Various Rights and Interests between the Board of Commissioners of the County of Allen and the City of Fort Wayne conveying to the County all right, title and interest of the City in the engineering contracts with Bonar and Associates, Inc. in conjunction with the Flood Control Project. Director of Transportation Engineering recommends approval;
Jim Owen moved approval of Agreement to Assign Various Rights and Interests between the Board of Commissioners of the County of Allen and the City of Fort Wayne conveying to the County to the County all right, title and interest of the City in the engineering contracts with Bonar and Associates, Inc. in conjunction with the Flood Control Project. Motion carried. Notice to Proceed to be sent.

20. Acquisition of Easement for River Bend Bluffs;

    James Federoff, Attorney representing River Bend Bluffs, proposed the following in order to build the proposed gravity sewer to serve Riverbend Bluffs.

    I. The developer to pay City costs to acquire easements by condemnation and the cost of installing the gravity line.

    II. Oversizing for areas to be served by the sewer, other than River Bend Bluffs and Cedar Glen, be the City's responsibility.

    III. Continued temporary sanitary sewer service through the lift station.

    IV. A reimbursement agreement for the developer to be reimbursed for construction costs to the gravity main by other developers that tap into the gravity line.

    There are two areas of concerns by the developer:

    I. Developer needs to proceed with Sec. VI this year.
    II. The commencement of the condemnation action.

    Mark Strong, Engineering Vision Inc. displayed a map of River Bend Bluffs, Section VI.

    R. David Boyer and James Federoff are to negotiate an agreement concerning the above for Board approval.

21. Claims approval in the amount of $1,554.097.01;
Jim Owen moved approval of claims in the amount of $1,554,097.01. Motion carried. Claims forwarded to General Accounting for their handling.

22. Taxi Cab Applicant David J. Keeler;
Jim Owen moved approval of Taxi Cab Applicant David J. Keeler. Motion carried. License to be issued.

23. Old Business:

There was a discussion on the Utility Budget Committee. Linda Buskirk will serve on the Budget Committee for the Water Utility, Jim Owen, Sewer Utility and Terrance McCaffrey, Stormwater Utility. Deb Farrell, Utility Administration will present the budget timeline next week.

24: New Business:

None.

Meeting adjourned at 10:07 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

April 26, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 10:10 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Carolyn Newport, BOW; R. David Boyer, Assoc. City Atty.; Greg Meszaros, GIS; Deb Farrell, Utility Administration; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Pat Callahan, WPC Engineering, Mike Thornson, Stormwater Engineering.

1. Approval of Board Minutes of March 29, 1995:
   Jim Owen moved approval of Board Minutes of March 29, 1995. Motion carried. Minutes approved as printed and distributed.

2. **RESOLUTION REQUESTING JURISDICTION OF COUNTY REGULATED DRAINS WITHIN THE CITY OF FORT WAYNE:**

   Mike Thornson of Stormwater Engineering stated that there are 140 County regulated drains, including ditches, tiles, and sewers within the limits of the City. These are currently maintained by the Allen County Drainage Board. The process used by the Allen County Drainage Board is tedious and difficult as they are set up for a rural type situation. A number of these drains do not get any attention and the City depends on these drains. The intent is for the City to take over all the County regulated drains that lie within the City boundary. Negotiations with the Allen County Drainage Board for said transference will be done on behalf of the Board of Stormwater Management by the Director of Utilities and/or by his designates, with the resulting agreements subject to approval by the Board of Stormwater Management.
   Terrance McCaffrey moved approval of Resolution Requesting Jurisdiction of County Regulated Drains within the City of Fort Wayne. Motion carried. Copy herein incorporated.

3. Old Business:

   None.

4. New Business:

   None.

Meeting adjourned at 10:20 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

April 26, 1995

Department of Public Works
Office of the Board
Third Floor Conference Room
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Terrance P. McCaffrey, Patricia J. Crick, BOW; Tom Jones & Jeff Grogg, Street Engineering; Betsy Meyer, Barrett Law. C. James Owen, absent.

1. Confirm Resolution - Notice to Property Owners - Resolution #6377-95, Southwood Park Curbing Phase VII.
Terrance McCaffrey moved to Confirm Resolution #6377-95. Motion carried. Remonstrance period up on May 8, 1995.

Hearing adjourned at 10:40 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

Hearing held at **11:00 a.m.**

PRESENT: All Members & Clerk, BOW; Tom Jones & Vic Bobay, Street Engineering; David Ross, City Engineer; Betsy Meyer, Barrett Law.

1. Confirm Resolution - Notice to Property Owners - Resolution #6379-95, East State Blvd. Sidewalk Improvement: Kentucky Ave. to Florida Dr.
After hearing concern of Property Owners regarding cost of total replacement of sidewalk, Linda Buskirk moved for continuance until a change is made in the scope of the project. Motion carried. Hearing to be continued.

Hearing adjourned at 12:05 p.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 3, 1995

Board of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Terrance McCaffrey, Patricia Crick, Ann Smith, Carolyn Newport, BOW; David Ross, City Engineer; Tom Jones, Street Engineering; Deb Farrell & Terry Atherton, Utility Administration; Jim Riemke, Street Light Engineering; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Pat Callahan, WPC Engineering; Mike Thornson, Stormwater Engineering; Charles Bailey, Contract Compliance; R. David Boyer, Associate City Attorney; Z. K. Tazian & Herous Manoukian, Z. K. Tazian Associates, Inc.; Chris Stauffer, Developer; James Jackson, Developer; Timothy Ochs, Attorney for River Bend Development. C. James Owen, absent.

1. RECEIVE BIDS - Resolution 6378-95, Lafayette Street Retaining Wall Repairs (BOARD OF PUBLIC WORKS CONTINGENCY FUND);

Brooks Const.	70,511.08
Dehner Const.	96,433.15
Louis Lee Lengacher	84,727.00
Mergy Const.	105,167.00
Pioneer Assoc.	98,532.50
Eng. Est.	$72,077.00

A. J. Dodzik to tabulate and report.

2. AWARD: Resolution 239-95, Camelot Addition Street Light Improvement to T & F Construction Corp. of Indiana in the amount of $24,472.50. (STREET LIGHTING/REVOLVING BARRETT LAW);

Terrance McCaffrey moved approval of Award for Resolution 239-95 to T & F Construction Corp. of Indiana in the amount of $24,472.50. Motion carried. Notice of Award to be sent. Street Light Engineering to

May 3, 1995

Board of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, Terrance McCaffrey, Patricia Crick, Ann Smith, Carolyn Newport, BOW; David Ross, City Engineer; Tom Jones, Street Engineering; Deb Farrell & Terry Atherton, Utility Administration; Jim Riemke, Street Light Engineering; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Pat Callahan, WPC Engineering; Mike Thornson, Stormwater Engineering; Charles Bailey, Contract Compliance; R. David Boyer, Associate City Attorney; Z. K. Tazian & Herous Manoukian, Z. K. Tazian Associates, Inc.; Chris Stauffer, Developer; James Jackson, Developer; Timothy Ochs, Attorney for River Bend Development. C. James Owen, absent.

1. **RECEIVE BIDS** - Resolution 6378-95, Lafayette Street Retaining Wall Repairs (BOARD OF PUBLIC WORKS CONTINGENCY FUND);

Brooks Const.	70,511.08
Dehner Const.	96,433.15
Louis Lee Lengacher	84,727.00
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Pioneer Assoc.	98,532.50
Eng. Est.	$72,077.00

A. J. Dodzik to tabulate and report.

2. AWARD: Resolution 239-95, Camelot Addition Street Light Improvement to T & F Construction Corp. of Indiana in the amount of $24,472.50. (STREET LIGHTING/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Award for Resolution 239-95 to T & F Construction Corp. of Indiana in the amount of $24,472.50. Motion carried. Notice of Award to be sent. Street Light Engineering to prepare contracts.

3. AWARD: Resolution 240-95, Oakdale Drive Street Light Improvement to T & F Construction Corp. of Indiana in the amount of $9,828.25 (STREET LIGHTING/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Award for Resolution 240-95 to T & F Construction Corp. of Indiana in the amount of $9,828.25. Motion carried. Notice of Award to be sent. Street Light Engineering to prepare contracts.

4. AWARD: Resolution 6373-95, Science Central Turn Lane and Sidewalk to Brooks Construction Co., Inc. for Base Bid plus Alternates 1, 2, and 3 in the amount of $76,278.00 (CEDIT/CDBG);
Terrance McCaffrey moved approval of Award for Resolution 6373-95, Science Central Turn Lane and Sidewalk to Brooks Construction Co., Inc. for Base Bid plus Alternates 1, 2, and 3 in the amount of $76,278.00. Motion carried. Notice of Award to be sent. Street Light Engineering to prepare contracts.

5. Approval of Board Minutes of April 26, 1995;
Terrance McCaffrey moved approval of Board Minutes of April 26, 1995. Motion carried. Minutes approved as printed and distributed.

6. Approval of Public Hearing Minutes of April 26, 1995 for Resolution 6377-95 and Resolution 6369-95;
Terrance McCaffrey moved approval of Public Hearing Minutes of April 26, 1995 for Resolution 6377-95 and Resolution 6379-95. Motion carried. Public Hearing Minutes approved as printed and distributed.

7. Sewer Contract 95-S-10 between Suburban Homes of Fort Wayne, Inc. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Suburban Homes Sanitary at 6716 Lima Road (PRIVATELY FUNDED) NOT RED ZONE;

Terrance McCaffrey moved approval of Sewer Contract 95-S-10 between Suburban Homes of Fort Wayne, Inc. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

8. Contract 6369-95 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Lower Huntington Road: Bluffton Road to Baer Field Thruway for pavement widening, resurfacing, curbs & gutter, sidewalk reconstruction, curb ramps, street lighting, storm sewers, water main relocation, signal modernization and restoration in the amount of $926,016.80 (CEDIT BOND/CEDIT NEIGHBORHOOD/STORMWATER UTILITY);
Terrance McCaffrey moved approval of Contract 6369-95 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne in the amount of $926,016.80. Motion carried. Contract 6369-95 approved subject to Councilmanic approval.

9. Water Contract 9506 between Arbor Land Corp. and the Fort Wayne Water Utility to construct water main systems to serve Autumn Chase Section IV (PRIVATELY FUNDED);
Terrance McCaffrey moved approval of Water contract 9506 between Arbor Land Corp. and the Fort Wayne Water Utility. Motion carried. Copy on file. Notice to Proceed to be sent.

10. Contract 6370-95, Maplewood Addition Spot Concrete Pavement Repair between Widner Paving, Inc. and the City of Fort Wayne in the amount of $61,381.00 (CEDIT NEIGHBORHOOD);
Terrance McCaffrey moved approval of Contract 6370-95 between Widner Paving, Inc. and the City of Fort Wayne in the amount of $61,381.00. Motion carried. Copy on file. Notice to proceed to be sent.

11. Received request for Waiver of Barricade Fees for March for Jesus to be held on Saturday, May 27, 1995. Parade will begin at corner of Hanna and Creighton and proceed south of Hanna to Weisser Park beginning at 10:30 A.M.;
Terrance McCaffrey moved approval of Waiver of Barricade Fees for March for Jesus to be held on Saturday, May 17, 1995. Motion carried. Fees to be waived.

12. Received request for Waiver of Barricade Fees for Scotts Hoosier Marathon sponsored by the Fort Wayne Track Club, Inc. to be held on Sunday, June 11, 1995 from 6:30 A.M. to 1:00 P.M.;
Terrance McCaffrey moved approval of Waiver of Barricade Fees for Scotts Hoosier Marathon sponsored by the Fort Wayne Track Club, Inc. to be held on Sunday, June 11, 1995 from 6:30 A.M. to 1:00 P.M. Motion carried. Fees to be waived.

13. Received request for Waiver of Barricade Fees for Kick-Off for Expo Days sponsored by the Fort Wayne Chapter Indiana Black Expo to be held on Saturday, June 10, 1995 from 10:00 A.M. to 12:00 Noon;
Terrance McCaffrey moved approval of Waiver of Barricade Fees for Kick-Off for Expo Days sponsored by the Fort Wayne Chapter Indiana Black Expo to be held on Saturday, June 10, 1995 from 10:00 A.M. to 12:00 Noon. Motion carried. Fees to be waived.

14. Received request for Waiver of Barricade Fees for the following Three Rivers Festival events:

Opening Day Parade - Saturday, July 8, 1995
Three Rivers Festival of the Arts - Saturday, July 8 & Sunday, July 9, 1995
Emporium - July 8 thru 16, 1995
Club TRF - July 12 thru 15, 1995
TRF Children's Fest - Friday, July 14, & Saturday, July 15, 1995
TRF Fireworks Finale - Sunday, July 16, 1995 (Rain date July 17, 1995)
Food Alley - July 8 thru July 16, 1995
Terrance McCaffrey moved approval of request for Waiver of Barricade Fees for the above Three Rivers Festival events. Motion carried. Fees to be waived.

15. Auto Liability and General Liability claims in the amount of $19,945.39 per City Ordinance G-18-89;
Terrance McCaffrey moved approval of Auto Liability and General Liability claims in the amount of $19,945.39. Motion carried. Claims to be forwarded to Risk Management for handling.

16. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $781.52. The write off is for the month of April 1995;
Terrance McCaffrey moved approval of request from General Accounting to write of City Utilities delinquent accounts in the amount of $781.52. Motion carried. Delinquent accounts to be written off.

17. Received Authorization for Final Release of Escrow from Scheidleman Excavating, Inc. in connection with Contract 925-1993, Haffner Drive Sanitary Sewer Extension in the amount of $1021.74. Escrow Agent is NBD Bank;

Terrance McCaffrey moved approval of Authorization for Final Release of Escrow from Scheidleman Excavating, Inc. in connection with Contract 925-1993 in the amount of $1021.74. Motion carried. Final Release of Escrow sent to NBD Bank for their handling.

18. **IMPROVEMENT RESOLUTION 6382-95,** Crown Colony Concrete Pavement Repair: Phase II (CEDIT NEIGHBORHOOD);
Terrance McCaffrey moved approval of Improvement Resolution 6382-95. Motion carried. Copy herein incorporated. Advertise 5/5 & 5/12/95 with date to receive bids on 5/24/95.

19. **IMPROVEMENT RESOLUTION 6386-95,** E. State Blvd. Asphalt Sidewalk Replacement: Forest Valley Drive to Blackhawk Middle School (south side only) (CEDIT NEIGHBORHOOD);
Terrance McCaffrey moved approval of Improvement Resolution 6386-95. Motion carried. Copy herein incorporated. Advertise 5/5 & 5/12/95 with date to receive bids on 5/24/95.

20. Receive letter from Bercot, Inc. requesting a 30 day extension of Resolution 1063-94, North Schomburg Drive/Clear Street Water Main Extension due to wet ground conditions. Water Engineering recommends May 31, 1995 as the revised date of completion;
Terrance McCaffrey moved approval of letter from Bercot, Inc. requesting a 30 day extension of Resolution 1063-94. Motion carried. Extension to be granted.

21. Received recommendation from Water Engineering to accept Contract 9501, Carrington Pointe Offsite Water Main Extension project as an integral part of the City's water main system;
Terrance McCaffrey moved approval of recommendation from Water Engineering to accept Contract 9501 as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent.

22. Received recommendation from Street Light Engineering to accept street lights in Engle Ridge North into the City street light system;
Terrance McCaffrey moved approval of recommendation from Street Light Engineering to accept street lights in Engle Ridge North into the City street light system. Motion carried. Acceptance letter to be sent.

23. Received letter from Z. K. Tazian Associates, Inc. stating that Mr. James Jackson is interested in extending public sanitary sewer to a 9-acre parcel located at the southeast corner of Conservation Way Extended by Dalman Road and Smith Road. The site will be used by Ryder Truck Company. This is in the red area;
Terrance McCaffrey moved approval for Mr. James Jackson to extend a public sanitary sewer to the 9-acre parcel located at the southeast corner of Conservation Way Extended. Motion carried. Copy herein incorporated. Sewer to be installed.

24. Agreement between River Bend Development Corporation and the City of Fort Wayne defining the terms under which additional development can take place at River Bend Bluffs;

    Tim Ochs, Attorney for River Bend Development Corporation, stated the above agreement that was negotiated between R. David Boyer, Associate City Attorney and his firm concurs with the terms that were proposed at last week's Board meeting with the exception of continued temporary sanitary sewer service through the lift station. This was replaced with a clause stating that the City shall not permit any additional sanitary sewer extensions which would be served by the lift station.
    Terrance McCaffrey moved approval of Agreement between River Bend Development Corporation and the City of Fort Wayne. Motion carried. Copy on file in vault.

25. Claims approval in the amount of $5,072,645.03;
Terrance McCaffrey moved approval of the claims in the amount of $5,072,645.03. Motion carried. Claims forwarded to General Accounting for their handling.

26. Taxi Cab License Applicant Edward C. Johnson:
Terrance McCaffrey moved approval of Taxi Cab License Applicant Edward C. Johnson. Motion carried. License to be issued.

27. Taxi Cab License Applicant Shawn D. Heimann;
Terrance McCaffrey moved approval of Taxi Cab License Applicant Shawn D. Heimann. Motion carried. License to be issued.

28. Old Business:

Deb Farrell of Utility Administration gave Board Members the timeline for Utility Budgets.

Deb Farrell also informed Board Members of the Indiana Water Pollution Control Operators Competition being held at the Fort Wayne Water Pollution Control Plan and City Utilities Confined Space Entry Training Facility May 3 and 4, 1995.

29. New Business:

None.

Linda Buskirk moved to adjourned the meeting. Motion carried.

Meeting adjourned at 9:30 a.m.

Linda Buskirk

Linda Buskirk, Director

C. James Owen, Member

Terrance P McCaffrey

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

May 10, 1995

Board of Public Works
WPC Maintenance Building
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Carolyn Newport, BOW; David Ross, City Engineer; Tim Warren, Water Resources; Tom Jones, Street Engineer; Mike Thomson & Don Hanley, Stormwater Engineering; Mike Hicks & Ron Sheppard, WPC Engineering; Terry Atherton, Utility Administration; Mary Jane Slaton, Public Information Office & Charles Bailey, Contract Compliance.

1. AWARD: Resolution 6378-95, Lafayette Street Retaining Wall Repairs to Brooks Construction Co., Inc. in the amount $70,511.00 (BOARD OF WORKS CONTINGENCY FUND);
Jim Owen moved approval of Award for Resolution 6378-95 to Brooks Construction Co., Inc. In the amount of $70,511.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

2. Approval of Board Minutes of May 3, 1995;
Linda Buskirk moved approval of Board Minutes of May 3, 1995. Motion carried. Minutes approved as printed and distributed.

3. Water Contract 9503 (Amended) between Loudermilk Development and the Fort Wayne Water Utility to construct water main systems to serve Northrop Industrial Park Section II (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9503 (Amended) between Loudermilk Development and the Fort Wayne Water Utility. Motion carried. Copy on file.

4. Water Contract 9509 between Behepe, Inc. and the Fort Wayne Water Utility to construct water main systems to serve Edgewood Industrial Park Block "D" - Transportation Drive (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9509 between Behepe, Inc. and the Fort Wayne Water Utility. Motion carried. Copy on file.

5. Contract 6360-95 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne for Maywood Circle Reconstruction: Fairoak Drive to Interlaken Drive in the amount of $99,505.00;
Jim Owen moved approval of Contract 6360-95 between Wayne Asphalt & Construction Co., Inc. and the City of Fort Wayne in the amount of $99,505.00. Motion carried. Notice to Proceed to be sent.

6. Contract 6371-95 between Brooks Construction Co., Inc. and the City of Fort Wayne for Jefferson Blvd./Maumee Ave. & Washington Blvd. Resurfacing in the amount of $945,916.60 (CEDIT BOND);
Jim Owen moved approval of Contract 6371-95 between Brooks Construction Co., Inc. And the City of Fort Wayne in the amount of $945,916.60. Motion carried. Contract approved subject to Council approval.

7. Received recommendation from WPC Engineering to accept Contract 94-S-36, Wallen Road Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 94-S-36 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

8. Received recommendation from Street Engineering to accept the streets in Harris Meadows Section II for future maintenance;
Jim Owen moved to accept the streets in Harris Meadows Section II for future maintenance. Motion carried. Acceptance letter to be sent.

9. Received recommendation from Water Engineering to accept Contract 9225, Harris Meadows Section II project as an integral part of the City's water main system;

Jim Owen moved to accept Contract 9225 as an integral part of the City's water main system. Motion carried. Acceptance letter to be sent.

10. Received recommendation from WPC Engineering to accept Contract 92-S-53, Harris Meadows Section II project as an integral part of the City's sanitary sewer system;
Jim Owen moved to accept Contract 92-S-53 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

11. **Improvement Resolution 6385-95,** 1300 Block of West Jefferson Alley Reconstruction (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6385-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners 5/12/95 with date for hearing to be held on May 24, 1995.

12. **IMPROVEMENT RESOLUTION 6388-95,** Leesburg Road: Bass Road to Hillegas Road . Pavement widening, pavement wedge and leveling, pavement resurfacing, shoulder grading, drainage rehabilitation, water main installation, pavement marking and restoration (CEDIT BOND);
Jim Owen moved approval of Improvement Resolution 6388-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/12 & 5/19/95 with date to receive bids on May 31, 1995.

13. Encroachment License Agreement between the City of Fort Wayne and Ralph Heil for irrigation piping at 1409 Benham in Georgetowne Place. Various departments have approved;
Jim Owen moved approval of Encroachment License Agreement between the City of Fort Wayne and Ralph Heil for irrigation piping at 1409 Benham in Georgetowne Place. Motion carried. Encroachment License to be forwarded to the Allen County Recorder's Office for recordation.

14. Revolving Barrett Law claims approval in the amount of $88,670.24;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $88,670.24. Motion carried. Claims to be forwarded to Barrett Law Office for handing.

15. Claims approval in the amount of $21,569,022.82.
Jim Owen moved approval of claims in the amount of $21,569,022.82. Motion carried. Claims to be forwarded to General Accounting for handling.

16. Old Business:

None.

17. New Business:

None.

Meeting adjourned at 9:16 a.m.

Linda Buskirk
Linda Buskirk, Chairman

Jim Owen
C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

May 10, 1995

Department of Public Works
Office of the Board
WPC Maintenance Building
Hearing held at 10:30 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk,Terrance P. McCaffrey, Patricia J. Crick, BOW; Betsy Meyer, Barrett Law Office; Ken Stempien, Water Engineering. C. James Owen, absent.

1. Confirm Resolution - Notice to Property Owners - Resolution #1064-95, South Anthony Boulevard Water Main Extension.
Terrance McCaffrey moved to confirm Resolution #1064-95. Motion carried. Remonstrance period up on May 22, 1995.

Hearing adjourned at ll:10 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

May 10, 1995

Stormwater Management Board
Office of the Board
Third Floor Conference Room
Meeting held at 9:20 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk & Carolyn Newport, BOW; David Ross, City Engineer; Tom Jones, Street Engineer; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Ron Sheppard & Mike Hicks, WPC Engineering, Mike Thomson & Don Hanley, Stormwater Engineering, Terry Atherton, Utility Administration; Charles Bailey, Contract Compliance.

1. Approval of Board Minutes of April 26, 1995:
Jim Owen moved approval of Board Minutes of April 26, 1995. Motion carried. Minutes approved as printed and distributed.

2. **RESOLUTION 534-95**, Stoney Run Creek at Archwood Lane Drainage Improvement (TIF);
Jim Owen moved approval of Resolution 534-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/12 & 5/19/95 with date to receive bids on May 31, 1995.

3. Old Business:

Jim Owen inquired about the status of request for transfer of jurisdiction of County regulated drains that lie within the City of Fort Wayne to the Board of Stormwater Management.

Mike Thornson of Stormwater Engineering stated that a presentation will be given to the Allen County Drainage Board in the near future.

4. New Business:

None.

Meeting adjourned at 9:25 a.m.

Linda Buskirk
Linda Buskirk, Chairman

Jim Owen
C. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 17, 1995

Board of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Attest: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick, Ann Smith, Carolyn Newport, BOW; David Ross, City Engineer; Tom Jones, Street Engineering; Deb Farrell & Terry Atherton, Utility Administration; Tom Manny, Traffic Engineering; Tim Warren, Water Resources; Mary Jane Slaton, Public Information Office; Pat Callahan, WPC Engineering; Mike Thornson, Stormwater Engineering; Charles Bailey, Contract Compliance; R. David Boyer, Associate City Attorney; Loren Kravig, Redevelopment. Terrance P. McCaffrey, absent.

1. RECEIVE BIDS - Resolution 6376-95, Fairfield Avenue Improvements: Jefferson Blvd. to Superior Street (CEDIT BOND);

Brooks Const.	397,013.10
Dehner Const.	402,615.75
Moellering Const.	386,662.80
Pioneer Assoc.	423,263.29
Eng. Est.	$338,770.95

Bonar & Associates to tabulate and report.

2. RECEIVE BIDS - Resolution 6380-95, CBD Curb Ramps: Phase II (CEDIT AT-LARGE):

Brooks Const.	112,470.75
Widner Paving	85,457.97
Eng. Est.	$ 99,985.00

Street Engineering to tabulate and report.

3. RECEIVE BIDS - Resolution 6381-95, Sub-Area Commercial Capital Improvement Project B-94 (CDBG);

Brooks Const.	51,589.00
Dehner Inc.	40,218.75
Key Concrete	35,342.50
Louis Lee Lengacher	59,926.00
Mergy Const.	37,557.90
G. E. Minear	33,638.00
Newell Const.	33,643.00
Widner Paving	39,902.00
Eng. Est.	$43,958.00

Street Engineering to tabulate and report.

4. RECEIVE BIDS - Resolution 6384-95, Edsall Avenue/Schele Ave. Improvements (CEDIT NEIGHBORHOOD);

Brooks Const.	25,481.00
Dehner Inc.	18,943.50
Key Concrete	16,707.00
Mergy Const.	17,004.10
G. E. Minear Const.	14,849.34
Newell Const.	15,780.00
Widner Paving	23,167.30
Eng. Est.	17,666.00

Street Engineering to tabulate and report.

5. Approval of Board Minutes of May 10, 1995;
Jim Owen moved approval of Board Minutes of May 10, 1995. Motion carried. Minutes approved as printed and distributed.

6. Approval of Public Hearing Minutes of May 10, 1995 for Resolution 1064-95;
Public Hearing Minutes tabled.

7. IMPROVEMENT RESOLUTION 6372-95, Parkview Addition Spot Concrete Pavement Repair (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6372-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/19/95 & 5/26/95 with date to receive bids on 6/7/95.

8. **IMPROVEMENT RESOLUTION 6383-95,** Wildwood Avenue Improvements: Hoagland Avenue to Webster Street (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Improvement Resolution 6383-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/19/95 & 5/26/95 with date to receive bids on 6/7/95.

9. **IMPROVEMENT RESOLUTION 6387-95,** Miscellaneous Construction Package 2/95 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Improvement Resolution 6387-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/19/95 & 5/26/95 with date to receive bids on 6/7/95.

10. Change Order #1 and Final received from Key Concrete, Inc. for Resolution 6357-94, Woodhurst Neighborhood Miscellaneous Concrete Repair decreasing the contract price by $716.79. Original contract price was $34,005.00;
Jim Owen moved approval of Change Order #1 and Final received from Concrete, Inc. decreasing the contract price by $716.79. Motion carried. Copy on file.

11. Contract 6373-95 between Brooks Construction Co., Inc. and the City of Fort Wayne for Science Central on Clinton Street North: Turn Lane and Sidewalk in the amount of $76,278.00 for Base Bid plus Alternates 1, 2 and 3 (CEDIT/CDBG);
Jim Owen moved approval of Contract 6373-95 between Brooks Construction Co., Inc. and the City of Fort Wayne in the amount of $76,278.00. Motion carried. Notice to Proceed to be sent.

12. Standard Form of Agreement between the City of Fort Wayne and Hoosier Glass Co., Inc. for Resolution 6368-95, replacement of windows and aluminum entrance for Science Central, Inc. in the amount of $308,630.00 (CEDIT AT-LARGE);
Jim Owen moved approval of Standard Form of Agreement between the City of Fort Wayne and Hoosier Glass Co., Inc. for Resolution 6368-95 in the amount of $308,630.00. Motion carried. Contract forwarded to Common Council for approval.

13. Received request from Allen County Council of Veterans for Waiver of Barricade Fees for Memorial Day Parade to be held on Monday, May 29, 1995 beginning at 11:00 a.m. at Parnell, north of State Blvd.;
Jim Owen moved approval of request from Allen County Council of Veterans for Waiver of Barricade Fees for Memorial Day Parade to be held on Monday, May 29, 1995. Motion carried. Fees to be waived.

14. Received recommendation from Street Engineering to accept Grainger Drive and Arc Drive for future maintenance.
Jim Owen moved approval of recommendation from Street Engineering to accept Grainger Drive and Arc Drive for future maintenance. Motion carried. Acceptance letter to be sent.

15. Received recommendation from WPC Engineering to accept Contract 93-S-48, Moore Drive Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved approval of recommendation from WPC Engineering to accept Contract 93-S-48 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

16. Approval of Board Certification of Project for Resolution 6357-94, Woodhurst Neighborhood Neighborhood Miscellaneous Concrete Repair. This certifies that the work performed on this project has been completed;
Jim Owen moved approval of Board Certification of Project for Resolution 6357-94. Motion carried. Letter of Certification to be sent.

17. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $50,600.30. The write off is for November and December of 1994 and January, 1995.
Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $50,600.30. Motion carried. Write off for City Utilities delinquent accounts to be forwarded to General Accounting for their handling.

18. Received proposals for parking management services during Germanfest and Three Rivers Festival;

One proposal was received from Light & Breuning, Inc.

Ann Smith, Associate Director, Public Works, stated that the City is seeking management services to monitor the City employee parking lots during Germanfest and Three Rivers Festival. An agreement will be forthcoming.

19. **RESOLUTION** Approving Authorization for Condemnation of Real Estate for Three Rivers Ambulance Authority;

Loren Kravig of Redevelopment stated that the above Resolution is necessary because Three River Ambulance Authority has informed the City that it will be necessary to acquire additional parcels of real estate through eminent domain due either to the failure of private negotiations or to defects in title which may not be resolved without causing significant delay to the project. After Council approval, the Board of Works will acquire said real estate by the power of eminent domain through its agent, the Fort Wayne Redevelopment Commission.
Jim Owen moved approval of Resolution Approving Authorization for Condemnation of Real Estate for Three Rivers Ambulance Authority. Motion carried. Copy herein incorporated. Resolution forwarded to Common Council for approval.

20. Claims approval in the amount of $9,963,439.36;
Jim Owen moved approval of claims in the amount of $9,963,439.36. Motion carried. Claims to be forwarded to General Accounting for their handling.

21. Taxi Cab License Applicant Sean M. Bailer;
Jim Owen moved approval of Taxi Cab License Applicant Sean M. Bailer. Motion carried. License to be issued.

22. Taxi Cab License Applicant L. Carl Kelley;
Jim Owen moved approval of Taxi Cab License Applicant L. Carl Kelley. Motion carried. License to be issued.

23. Taxi Cab License Applicant Thomas Rowan;
Jim Owen moved approval of Taxi Cab License Applicant Thomas Rowan. Motion carried. License to be issued.

24. Taxi Cab License Renewal John M. Anderson;
Jim Owen moved approval of Taxi Cab License Renewal John M. Anderson. Motion carried. License to be renewed.

25. Taxi Cab License Renewal Robert D. Kenseth;
Jim Owen moved to deny Taxi Cab License Renewal Robert D. Kenseth based on recommendation to deny from Police Chief, Neil Moore. Motion carried. Letter of Denial to be sent.

26. Taxi Cab License Renewal Linda R. Taylor;
Jim Owen moved to approve Taxi Cab License Renewal Linda R. Taylor. Motion carried. License to be renewed.

27. Old Business:

David Ross, City Engineer, described the proposed change in the scope of work on Lower Huntington Road. The main change is adding a center auxiliary turn lane in the center. A change order is forthcoming.

Meeting adjourned at 9:35 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 24, 1995

Department of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; Terry Atherton, Utility Administration; R. David Boyer, Assoc. City Atty.; Pat Callahan, WPC Engineering; Tim Warren, Water Resources; Jim Riemke, Street Lighting; Charles Bailey, Contract Compliance; Tom Jones, Street Engineering; David Ross, City Engineer; Tom Manny, Traffic Engineer and Tim Breuning, Light & Breuning.

1. **RECEIVE BIDS** - Res. 6382-95, Crown Colony Concrete Pavement Repair - Phase II (CEDIT NEIGHBORHOOD);

Brooks Const.	42,500.00
Dehner Inc.	32,442.00
Key Concrete	33,515.00
Newell Const.	32,442.00
Pioneer Assoc.	43,453.75
Widner Paving	40,751.00
Eng. Est.	39,200.00

Street Engineering to tabulate and report.

2. **RECEIVE BIDS** - Res. 6386-95, East State Blvd. Asphalt Sidewalk Replacement - Forest Valley Drive to Blackhawk Middle School (CEDIT NEIGHBORHOOD);

Brooks Const.	23,052.50
T-G Inc.	33,477.50
Widner Paving	20,777.50
Eng. Est.	13,330.00

Street Engineering to tabulate and report.

3. AWARD: Improvement Resolution 6376-95, Fairfield Avenue Improvements: Jefferson to Superior to Moellering Construction Co., Inc. in the amount of $386,662.80 (CEDIT BOND) PRIOR APPROVAL REQUESTED.
Jim Owen moved approval of Award for Improvement Resolution 6376-95 to Moellering Construction Co., Inc. in the amount of $386,662.80. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts. Prior approval letter to be sent to Common Council.

4. AWARD: Improvement Resolution 6381-95, Sub-Area Commercial Capital Improvement Project B-94 to G. E. Minear Construction Co., Inc. in the amount of $33,638.00 (CDBG);
Jim Owen moved approval of Award for Improvement Resolution 6381-95 to G. E. Minear Construction Co., Inc. in the amount of $33,638.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

5. AWARD: Improvement Resolution 6384-95, Edsall Avenue/Schele Avenue Improvements to G. E. Minear Construction Co., Inc. in the amount of $14,849.34 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Improvement Resolution 6384-95 to G. E. Minear Construction Co., Inc. in the amount of $14,849.34. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

6. AWARD: Improvement Resolution 6380-95, CBD Curb Ramps, Phase II to Widner Paving, Inc. in the amount of $90,133.87. Traffic Engineering Department has requested that items #20 and #21 (line, paint) be deleted from the base bid and items #27 and 28 (line, preformed) be added. This material change will increase visibility/detection of pedestrian crossing and extend duration of marking (reducing maintenance). This will increase contract price to $90,133.87.
   Jim Owen moved approval of Improvement Resolution 6380-95 to Widner Paving, Inc. in the amount of $90,133.87. Motion carried. Notice of Award to be sent. Bonar & Associates to prepare contracts.

7. Approval of Public Hearing Minutes of May 10, 1995 for Resolution 1064-95 (Tabled from last week);
   Terrance McCaffrey moved approval of Public Hearing Minutes of May 10, 1995 for Resolution 1064-95. Motion carried. Minutes approved as printed and distributed.

8. Approval of Minutes of May 17, 1995;
   Jim Owen moved approval of Minutes of May 17, 1995. Motion carried. Minutes approved as printed and distributed.

9. **IMPROVEMENT RESOLUTION 6375-95,** Sub-Area Commercial Capital Improvement Project: 94D - 900 Block of Broadway and 600 Block of Wayne Street (CDBG);
   Jim Owen moved approval of Improvement Resolution 6375-95. Motion carried. Copy herein incorporated. Advertise Notice to Contractors 5/26 and 6/2/95 with date to receive bids on June 14, 1995.

10. Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6351-94, W. State Blvd.: Sherman to Hensch increasing the contract price by $3,400.15. Original contract price was $64,516.26.

    Tom Jones, Street Engineer, stated that this change order was necessary because bituminous binder, wedge and level was necessary after milling operations exposed the existing concrete street pavement causing deterioration of intended street base.
    Terrance McCaffrey moved approval of Change Order #1 from Wayne Asphalt & Construction Co., Inc. for Resolution 6351-94 increasing the contract price by $3,400.15. Motion carried. Copy on file.

11. Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6365-95, Rudisill Blvd.; Smith Street to Anthony Blvd. increasing the contract price by $14,832.91. Original contract price was $204,319.88:

    Tom Jones, Street Engineer, stated that this change order was necessary because an additional sign was required, additional walk had to be removed and replaced to comply with standards for A.D.A. ramps, and a structure had to be built around a catch basin.
    Jim Owen moved approval of Change Order #1 received from Wayne Asphalt & Construction Co., Inc. for Resolution 6365-95 increasing the contract price by $14,832.91. Motion carried. Copy on file.

12. Received request from Mizpah Shrine Temple for a Waiver of Barricade Fees for Three Rivers Festival "Night of a Thousand Lights" to be held on Friday, July 14, 1995;
    Jim Owen moved approval of Waiver of Barricade Fees for Three Rivers Festival "Night of a Thousand Lights" to be held on July 14, 1995. Motion carried. Fees to be waived.

13. Received request from German Heritage Society for Waiver of Barricade Fees for Germanfest to be held June 12, thru June 17, 1995. It will be held at the former Radio shop building, north of Three Rivers Ambulance Authority and will require the closure of Barr Street and part of Duck Street;
    Jim Owen moved approval of Waiver of Barricade Fees for Germanfest to to be held June 12, thru June 17, 1995. Motion carried. Fees to be waived.

14. Traffic Signal Agreement between the City of Fort Wayne and the Meijer Realty Company (Developer) for installation of a fully actuated traffic signal system at the intersection of Illinois Road and Avenue of Autos/Meijer Store Entrance;

    Tom Manny, Traffic Engineer, stated that Meijer Realty Company will pay for all signal materials, equipment and labor required to install the signals and shall have a signal contractor pre-qualified with the Indiana Department of Transportation to erect and install the traffic signal facility.
    Jim Owen moved approval of Traffic Signal Agreement between the City of Fort Wayne and the Meijer Realty Company. Motion carried. Copy on file in vault.

15. Received Encroachment License Agreement between Willem H. and Sandra D. Moonen and the City of Fort Wayne for a lawn irrigation system at 6403 Benham Drive, Lot #20, in Georgetowne Place Addition. Various departments have approved;
    Jim Owen moved approval of Encroachment License Agreement between the City and Willem H. and Sandra D. Moonen for a lawn irrigation system at 6403 Benham Drive, Lot #20. Motion carried. Encroachment License Agreement to be forwarded to the Allen County Recorder's Office.

16. Agreement between the City of Fort Wayne and Light & Breuning for parking control services during Germanfest and Three Rivers Festival. The City will receive 50% of revenue generated by evening parking customers at both Festivals;

    Tim Breuning of Light & Breuning stated that his company would employ sufficient personnel to conduct the parking operations, provide liability insurance, and maintain cleanliness of the lots.
    Jim Owen moved approval of Agreement between the City and Light & Breuning for parking control services during Germanfest and Three Rivers Festival. Motion carried. Copy on file in vault.

17. Sewer Contract 95-S-3 between Arbor Land Corp. and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Autumn Chase Section IV (PRIVATELY FUNDED); THIS IS IN THE GREEN AREA;
    Jim Owen moved approval of Sewer Contract 95-S-3 between Arbor Land Corp. and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

18. Contract 239-95 between T & F Construction Corp. of Indiana and the City of Fort Wayne for Camelot Addition Street Light Improvement in the amount of $24,472.80 (CEDIT/REVOLVING BARRETT LAW);
    Jim Owen moved approval of Contract 239-95 between T & F Construction Corp. of Indiana and the City of Fort Wayne in the amount of $24,472.80. Motion carried. Notice to Proceed to be sent.

19. Contract 240-95 between T & F Construction Corp. Of Indiana and the City of Fort Wayne for Oakdale Drive Street Light Improvement in the amount of $9,828.25 (CEDIT/REVOLVING BARRETT LAW);
    Terrance McCaffrey moved approval of Contract 240-95 between T & F Construction Corp. of Indiana and the City of Fort Wayne in the amount of $9,828.25. Motion carried. Notice to Proceed to be sent.

20. Contract 6378-95 between Brooks Construction Co., Inc. and the City of Fort Wayne for Lafayette Street Retaining Wall Repair in the amount of $70,511.00 (BOW CONTINGENCY FUND);
    Jim Owen moved approval of Contract 6378-95 between Brooks Construction Co., Inc. in the amount of $70,511.00. Motion carried. Notice to Proceed to be sent.

21. Assurance letter for Ardmore Avenue and Covington Road Intersection Project stating that when Federal funds are involved which result in real property acquisition or displacement, the City will comply with Uniform Relocation Assistance Act of 1987.

Jim Owen moved approval of Assurance letter for Ardmore Avenue and Covington Road Intersection Project. Motion carried. Copy herein incorporated.

22. Received recommendation from WPC Engineering to accept Contract 95-S-6, Rapids of Keefer Creek Section II Sanitary Sewer project and Contract 95-S-7, Falls of Keefer Creek Section II Sanitary Sewer project as an integral part of the City's sanitary sewer system;

    Jim Owen moved approval of recommendation from WPC Engineering to accept Contract 95-S-6 and Contract 95-S-7 as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letters to be sent to respective contractors.

23. WPC Treatment Agreement between the City of Fort Wayne and the Town of Zanesville:

    Pat Callahan, WPC Engineering, stated that the Town of Zanesville does not have a sewage treatment plant with the capacity to adequately treat the sewage from its service area and and is desirous of discharging waste sewage into the Fort Wayne system.

    Jim Owen expressed his concern of approving this agreement since the Board recently passed a resolution stating no more systems will be accepted in the red zone.

    Pat Callahan stated there is an option of routing the sewage into a interceptor used by General Motors. General Motors has the capacity of holding sewage up to two days in wet weather. Also there is an interceptor to be built in the Southwest quandrant of Fort Wayne that this sewage could be routed through but it will not be finished until about 9 months after the Zanesville sewage is routed through the Fort Wayne system.

    Pat Callahan stated that the City of Fort Wayne sent a letter of commitment in 1990 to the Town of Zanesville stating that we would accept the sewage into the WPC Treatment Plant.
    Terrance McCaffrey moved approval of WPC Treatment Agreement between the City of Fort Wayne and the Town of Zanesville. Jim Owen abstained. Motion carried. WPC Treatment Agreement approved and forward to Utility Administration for their handling. Copy on file in vault.

24. Revolving Barrett Law claims approval in the amount of $408,069.00;
    Jim Owen moved approval of Revolving Barrett Law claims in the amount of $408,069.00. Motion carried. Claims forwarded to Barrett Law Department for their handling.

25. Claims approval in the amount of $19,220,565.65;
    Jim Owen moved approval of Claims in the amount of $19,220,565.65. Motion carried. Claims forwarded to Civil City Accounting Department for their handling.

26. Taxi Cab License Renewal Mary K. Fowler;
    Jim Owen moved approval of Taxi Cab License Renewal for Mary K. Fowler. Motion carried. License to be issued.

27. Taxi Cab Hearing requested by Robert D. Kenseth II;

    Robert D. Kenseth II did not appear for the hearing.
    Jim Owen moved to affirm the denial of Taxi Cab License for Robert D. Kenseth II. Motion carried. Denial letter to be sent to Robert D. Kenseth II notifying him of the Board decision.

28. Old Business;

    (I) David Boyer, Associate City Attorney, stated that it appears that condemnation proceedings will not be necessary in the Riverbend area.

29. New Business;

(i) The CIP process was discussed.

Jim Owen moved to adjourn the May 2~~3~~4, 1995 Board of Public Works Meeting. Motion carried.

Meeting adjourned at 9:57 a.m.

Linda Buskirk

Linda Buskirk, Chairman

Jim Owen

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick

Patricia J. Crick, Clerk

May 24, 1995

Department of Public Works
WPC Maintenance Facility
Hearing held at **10:30 a.m.**

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey

Attest: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, BOW; Tom Jones & Jeff Grogg, Street Engineering; Betsy Meyer & Marge Enders, Barrett Law.

1. Confirm Resolution - Notice to Property Owners - Resolution #6385-95, 1300 Block of West Jefferson Alley Reconstruction.
   Terrance McCaffrey moved to confirm Resolution. Motion carried. Remonstrance period up on June 5, 1995.

Hearing adjourned at 10:40 a.m.

Linda Buskirk

Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick

Patricia J. Crick, Clerk

May 31, 1995

Board of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Atty.; Terry Atherton & Deb Farrell, Utility Administration; Mike Thomson & Don Hanley, Stormwater Engineering; Tim Warren, Water Resources; Pat Callahan, WPC Engineering; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Tom Jones, Street Engineer; Kevin Holle & Greg Meszaros, GIS; Charles Bailey & Carl Wilson, Contract Compliance.

1. **RECEIVE BIDS** - Water Contract 95-01, Restoration of Water Maintenance Utility Cuts (Water Utility);

Frontier Asphalt & Pioneer Assoc.	322,433.35
Mergy Const.	280,601.55
Robbco Inc.	270,821.87
Widner Paving	277,120.23
Eng. Est.	$298,576.70

Water Resources to tabulate and report.

Board of Public Works Meeting recessed at 9:04 a.m.

Board of Public Works Meeting reconvened at 9:06 a.m.

2. AWARD: Improvement Resolution 6382-95, Crown Colony Concrete Paving Repair - Phase II in the amount of $32,442.00 to Dehner Construction Inc. (CEDIT NEIGHBORHOOD) determined by a coin toss as recommended by the Board of Public Works Associate City Attorney. Dehner Construction Inc. & Newell Construction Company Inc. turned in the same bid amount for this project at the last Board meeting. Both contractors were in attendance.

3. AWARD: Improvement Resolution 6386-95, East State Blvd. Asphalt Sidewalk Replacement - Forest Valley Drive to Blackhawk Middle School (CEDIT NEIGHBORHOOD). Received recommendation from Street Engineering to reject all bids;

   Tom Jones of Street Engineering stated that the lowest bidder was 61.94% over the engineering estimate on this job and it is the staff's recommendation to re-evaluate and re-bid the project.
   Jim Owen moved to reject all bids for Resolution 6386-95. Motion carried. Street Engineering to re-evaluate and re-bid the project.

4. Approval of Board Minutes of May 24, 1995;
   Terrance McCaffrey moved approval of Board Minutes of May 24, 1996 as amended. Motion carried. Minutes approved as amended.

5. Approval of Public Hearing Minutes of May 24, 1995 for Resolution 6385-95, W. Jefferson Alley Reconstruction;
   Terrance McCaffrey moved approval of Public Hearing Minutes of May 24, 1995 for Resolution 6385-95. Motion carried. Minutes approved as printed and distributed.

6. Received request for Waiver of Barricade Fees from Junior Achievement for the running of the Fort Wayne Grand Prix to be held on Friday, June 16, 1995 to Saturday, June 17, 1995;
   Jim Owen moved approval of request for Waiver of Barricade Fees from Junior Achievement for the running of the Fort Wayne Grand Prix to be held on Friday, June 16, 1995 to Saturday, June 17, 1995. Motion carried. Fees to be waived.

7. **IMPROVEMENT RESOLUTION 6389-95,** Underground Storage Tank Removal & Soil-Bio Remediation (1994 PUBLIC SAFETY BOND);

   Linda Buskirk stated the above resolution is for the improvement of four sites by removing, transporting and

disposing fuel undergound storage tanks and contaminated soils and also the construction of Soil Bio-remediation cells for treatment of fuel contaminated soil from sites. Prequalified bidders will turn in sealed proposals at a later date.
Jim Owen moved approval of Improvement Resolution 6389-95. Motion carried. Copy herein incorporated.

8. Change Order #1 and Final received from Pyramid Excavating, Inc. for Resolution 1062-94, Seddlemeyer Avenue Water Main Extension decreasing the contract price by $824.60. Original Contract price was $30,435.30.
Jim Owen moved approval of Change Order #1 and Final received from Pyramid Excavating, Inc. for Resolution 1062-94 decreasing the contract price by $824.60. Motion carried. Copy on file.

9. Taxi Cab License Applicant Melony S. Muncie:
Jim Owen moved approval of Taxi Cab License Applicant Melony S. Muncie. Motion carried. License to be issued.

10. Taxi Cab License Applicant Marcus S. Wilson;
Linda Buskirk moved to deny Taxi Cab License Applicant Marcus S. Wilson based upon Police Chief Neil Moore's recommendation. Motion carried. Denial Letter to be sent.

11. Old Business:

None.

12. New Business:

I. David Ross, City Engineer, presented two change orders received from Morrison, Kattman Menze, Inc., Architects, for Resolution 6368-95, Science Central Windows project.

Change Order #1 is in the amount of $9,631.00 and is for the addition of custom color Duranar coating to the windows to be installed.

Change Order #2 is for a 30 day extension of time.
Linda Buskirk moved approval of Change Orders #1 and #2 for the Science Central Windows project. Jim Owen abstained. Motion carried. Copies on file.

II. Jim Owen inquired if the Customer Service Offices are still operational at Southgate.

Terry Atherton of Utility Administration stated that there were 1100 walk-in customers last week.

Terrance McCaffrey moved to adjourn the May 31, 1995 Board of Public Works Meeting. Motion carried.

Meeting adjourned at 9:23 a.m.

Linda Buskirk
Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

May 31, 1995

Stormwater Management Board
WPC Maintenance Facility
Meeting held at 9:04 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith, Carolyn Newport, BOW; R. David Boyer, Assoc. City Atty.; Terry Atherton & Deb Farrell, Utility Administration; Mike Thomson & Don Hanley, Stormwater Engineering; Tim Warren, Water Resources; Pat Callahan, WPC Engineering; David Ross, City Engineer; Mary Jane Slaton, Public Information Office; Tom Jones, Street Engineer; Kevin Holle & Greg Meszaros, GIS; Charles Bailey & Carl Wilson, Contract Compliance.

1. **RECEIVE BIDS** - Res. 534-95, Stoney Run Creek at Archwood Lane Ditch Improvement (TIF FUNDS);

Bercot Inc.	69,637.00
Fleming Excavating	33,870.50
Land, Inc.	58,655.00
T-G Inc.	69,849.00
Eng. Est.	$67,250.00

Stormwater Engineering to tabulate and report.

Stormwater Management Board meeting recessed at 9:05 a.m.

Stormwater Management Board reconvened at 9:23 a.m.

2. Approval of Board Minutes of May 10, 1995;
Jim Owen moved approval of Board Minutes of May 10, 1995. Motion carried. Minutes approved as printed and distributed.

3. Escrow Agreement received from Site Contractors, Inc. in connection with Contract 518-94, Hawthorne Street/Southern Court Area Storm Drainage Improvement project. Escrow agent is Star Financial Bank;
Jim Owen moved approval of Escrow Agreement received from Site Contractors, Inc. in connection with Contract 518-94. Motion carried. Original to be forwarded to Star Financial Bank for their handling.

4. Update regarding impervious surface billing;

Greg Meszaros, GIS, stated that in May all City property owners are being billed by the new rate structure for stormwater. A total of 297 calls were received on the new rate structure in April and May. There are 5 in the formal appeal stage (residential & commercial).

Greg stated that it is no longer necessary for the consultants to remain on this project which results in a $30,000 savings to the City.

Following are achievements by the staff in establishing the new rate structure for stormwater.

I. One Million Dollars in revenues with 15% discount
II. Fulfills NPDES requirements.
III. Rate structure is a legal foundation.

Greg complimented Kevin Holle for a job well done in helping to implement the stormwater procedures. Jim Owen noted the protracted debate and intense difficulty of the project and congratulated Greg and staff for a job well done.

5. Don Hanley of Stormwater Engineering tabulated the bids for Improvement Resolution 534-95, Stoney Run Creek at Archwood Lane Drainage and recommended that the Board award the contract to Fleming Excavating in the amount of $33,870.50 (TIF FUNDS);
Linda Buskirk moved approval of recommendation from Stormwater Engineering to award the contract for Resolution 534-95 to Fleming Excavating in the amount of $33,870.50. Motion carried. Notice of Award to be sent. Stormwater Engineering to prepare contracts.

6. Old Business:

   None.

7. New Business:

   None.

Terrance McCaffrey moved to adjourn the May 31, 1995 Stormwater Management Board Meeting.

Stormwater Management Board
adjourned at 9:35 a.m.

Linda Buskirk
Linda Buskirk, Director

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST Patricia J. Crick
Patricia J. Crick, Clerk

June 7, 1995

Board of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; Deb Farrell & Terry Atherton, Utility Administration; Tom Manny, Traffic Engineer; Tom Jones & Jeff Grogg, Street Engineering; David Ross, City Engineer; Charles Bailey & Carl Wilson, Contract Compliance; R. David Boyer, Assoc. City Attorney; Steve Martin, City Utilities Accounting; Sandy Maldeney, Property Manager; Pat Callahan, Mike Hicks & Tom Pallone, WPC Engineering; Tom Gountras, Don Hanley & Al Frisinger, Stormwater Engineering; Mr. Elkins, E. Wayne Street Center; Mary Morris, Oxford Community Association, Inc., Cathie Lynn Rowand, Property Owner, Ron Buskirk, Police Department.

1. RECEIVE BIDS: Resolution 6372-95, Parkview Addition Spot Concrete Pavement Repair (CEDIT NEIGHBORHOOD);

Key Concrete	42,935.00
Mergy Const.	41,210.00
Newell Const.	38,619.00
Pioneer Assoc.	46,846.00
Widner Paving	46,000.00
Eng. Est.	$43,715.00

Street Engineering to tabulate and report.

2. RECEIVE BIDS: Resolution 6383-95, Wildwood Avenue Improvements: Hoagland Ave. to Webster Street (CEDIT NEIGHBORHOOD);

Brooks Const.	18,495.00
Key Concrete	18,775.00
Mergy Const.	20,490.00
Newell Const.	16,840.00
Pioneer Assoc.	23,285.00
Eng. Est.	$22,100.00

Street Engineering to tabulate and report.

3. RECEIVE BIDS: Resolution 6387-95, Miscellaneous Construction Package 2/95 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

Key Concrete	24,650.00
Mergy Const.	27,832.25
Newell Const.	22,871.00
Eng. Est.	$29,410.00

Street Engineering to tabulate and report.

4. RECEIVE BIDS: Resolution 6388-95, Leesburg Rd.: Bass to Hillegas (CEDIT BOND)

Brooks Const.	272,557.25
Frontier Asphalt	289,453.78
S. E. Johnson	379,881.00
Wayne Asphalt	299,046.26
Eng. Est.	$350,000.00

A. J. Dodzik, Consultant Engineers, to tabulate and report.

5. AWARD: Water Contract 95-01, Restoration of Water Maintenance Utility Cuts to Robbco, Inc. in the amount of $270,821.87. (WATER UTILITY) PRIOR APPROVAL REQUESTED:

Jim Owen moved approval of award for Water Contract 95-01 to Robbco, Inc. in the amount of $270,821.87. Motion carried. Notice of Award to be sent.

6. Approval of Board Minutes of May 31, 1995;
Jim Owen moved approval of Board Minutes of May 31, 1995. Motion carried. Minutes approved as printed and distributed.

7. **RESOLUTION** for Board of Public Works to declare an intent to donate to the East Wayne Street Center, Inc. real estate that belongs to the City of Fort Wayne commonly known as East Part NE Corner Lot Number 364 in Samuel L. Hanna Addition or 818 Francis Street. Subject to Common Council approval.

Sandy Maldeney, Property Manager, stated that the Community Association has been maintaining the property.

Mr. Elkins of the East Wayne Street Center stated that beyond a proposed parking lot they plan to demolish the existing building and build another building to accommodate additional storage and a thrift shop.
Jim Owen moved approval of Resolution for Board of Public Works to declare an intent to donate to the East Wayne Street Center, Inc. real estate that belongs to the City of Fort Wayne at 818 E. Francis Street. Motion carried. Copy herein incorporated.

8. **RESOLUTION** for Board of Public Works to declare an intent to donate to the Oxford Community Association, Inc. real estate that belongs to the City of Fort Wayne commonly known as Lot Number 82 in Kryder's Addition Extended or 1421 Oxford Street. Subject to Common Council approval;

Sandy Maldeney, Property Manager, stated that the City has been leasing the above real estate to the Oxford Community Association, Inc. who has been maintaining the property for a number of years.

Mary Morris of the Oxford Community Association stated they would like to renovate the building and expand their services.
Jim Owen moved approval of Resolution for Board of Public Works to declare an intent to donate to the Oxford Community Association, Inc. real estate that belongs to the City at 1421 Oxford Street. Motion carried. Copy herein incorporated.

9. Sewer Contract 95-S-12 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Utility to construct a local sanitary sewer system to serve Still Water Place Section VII Sanitary Extension (PRIVATELY FUNDED). This area has been designated RED, but the S.P.C. 15 State Permit had been approved previously;

Pat Callahan of WPC Engineering stated that the S.P.C. 15 State Permit was obtained a number of years prior to the Board passing the Resolution limiting the amount of tie-ins to the City sanitary sewer system.
Linda Buskirk moved approval of Sewer Contract 95-S-12 between North Eastern Construction Co., Inc. and the Fort Wayne Water Pollution Utility. Motion carried. Copy on file.

10. Sewer Contract 95-S-11 between Aalco Distributing Company and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Aalco Distributing Company Combination Reroute (PRIVATELY FUNDED). This area is designated GREEN;
Jim Owen moved approval of Sewer Contract 95-S-11 between Aalco Distributing Company and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

11. Sewer Contract 95-S-9 between Northrop Park Land Development and the Fort Wayne Water Pollution Control Utility to construct a local sanitary sewer system to serve Northrop Industrial Park Phase II Indiana Textile Sanitary Extension (PRIVATELY FUNDED). This area is designated YELLOW;

    Pat Callahan of WPC Engineering stated that this is a commercial extension at Cook & Honeywell and this area may be misclassified and is possibly in the green area.
    Jim Owen moved approval of Sewer Contract 95-S-9 between Northrop Park Land Development and the Fort Wayne Water Pollution Control Utility. Motion carried. Copy on file.

12. Construction Contract 95-01 between Robbco, Inc. and the City of Fort Wayne for restoration of water maintenance utility cuts in the amount of $270,821.87 (WATER UTILITY);
    Linda Buskirk moved approval of Construction Contract 95-01 between Robbco, Inc. and the City of Fort Wayne in the amount of $270,821.87. Motion carried. Construction Contract 95-01 forwarded to Common Council for approval.

13. Non-Exclusive Underground Sanitary Sewer Easement between Meijer Realty Company and the City of Fort Wayne for the operation, control, maintenance, repair, reconstruction and removal of an underground sanitary sewer line located at the intersection of S. R. 469 and S. R. 37 (Maysville Road);

    Pat Callahan of WPC Engineering stated that said easement is on the property owned by Meijer Realty Company will still be accessable to the utilities.
    Jim Owen moved approval of Non-Exclusive Underground Sanitary Sewer Easement between Meijer Realty Company and the City of Fort Wayne. Motion carried. Copy on file in vault.

14. Encroachment License Agreement between the City of Fort Wayne and the City of Fort Wayne Traffic Engineering Department for a chain link fence/gate into the right-of-way of the north/south alley west of Lafayette Street. Approval by all Departments except Tom Cain with C&ED. He has stated that this is prohibited by a Zoning Ordinance. He also states that the alley should be vacated.

    Tom Manny of Traffic Engineering stated this fence is necessary in order to prevent kids from painting graffiti on City Buildings. Other locations in the area have security fences, such as Korte Brothers, Fire Department Garage, Street Lighting, and Traffic Engineering Buildings. All Utilities have approved this fence and will have access.
    Linda Buskirk moved approval of Encroachment License between the City of Fort Wayne and the City of Fort Wayne Traffic Engineering Department for a chain link fence/gate into the right-of-way of the north/south alley west of Lafayette Street. Motion carried. Encroachment Agreement to be forwarded to the Allen County Recorder's Office.

15. Approval of Hold Harmless Agreement between the City of Fort Wayne and the Dash-In Cafe, Inc. to operate a sidewalk restaurant at 817 S. Calhoun Street beginning June 7, 1995 through October 30, 1995;
    Jim Owen moved approval of Hold Harmless Agreement between the City of Fort Wayne and the Dash-In Cafe, Inc. to operate a sidewalk restaurant at 817 S. Calhoun Street beginning June 7, 1995 through October 30, 1995. Terrance McCaffrey moved to amend the motion to read that the Hold Harmless Agreement is approved on the condition that adequate pedestrian right-of-way be maintained at all times. Motion carried. Amended motion carried.

16. Received request from General Accounting to write off City Utilities delinquent accounts in the amount of $4,562.37.

Jim Owen moved approval of request from General Accounting to write off City Utilities delinquent accounts in the amount of $4,562.37. Motion carried. City Utilities delinquent accounts to be forwarded to General Accounting for their handling.

17. **IMPROVEMENT RESOLUTION 6390-95,** Freeman Street: Taylor Street to Jefferson Boulevard. Proposed improvements include: Partial pavement reconstruction, wedging & leveling, resurfacing; roadway shoulder and storm sewer system rehabilitation; sections of new curbs; traffic control upgrades, and curb ramps. (CEDIT BOND);
Terrance McCaffrey moved approval of Improvement Resolution 6390-95. Motion carried. Copy herein incorporated.

18. **IMPROVEMENT RESOLUTION 6391-95,** Tecumseh Street: Tennessee Ave. to Delaware Avenue. Proposed improvements include: Milling existing pavement, resurfacing, reconstruction of curbs, driveway approaches, alley approaches, curb ramps, rehabilitation of storm sewer structures. (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Terrance McCaffrey moved approval of Improvement Resolution 6391-95. Motion carried. Copy herein incorporated. Advertise Notice to Property Owners June 16, 1996 with hearing to be held on June 28, 1995.

19. Received recommendation from WPC Engineering to accept Contract 91-S-15, Kruse Auto Center Sanitary Sewer project as an integral part of the City's sanitary sewer system;
Jim Owen moved approval of recommendation from WPC Engineering to accept Contract 91-S-15. Motion carried. Acceptance letter to be sent to Knott Drainage & Excavating.

20. Received recommendation from WPC Engineering to accept Contract 94-S-35, Brotherhood Mutual Insurance Sanitary Sewer Reroute as an integral part of the City's sanitary sewer system;
Jim Owen moved approval of recommendation from WPC Engineering to accept Contract 94-S-35. Motion carried. Acceptance letter to be sent to Knecht Excavating, Inc., dba Star Excavating.

21. Received recommendation from Water Engineering to accept Contract 9509, Transportation Drive - Edgewood Industrial Park Block D project as an integral part of the City's water main system;
Jim Owen moved approval of recommendation from Water Engineering to accept Contract 9509. Motion carried. Acceptance letter to be sent to Bercot, Inc.

22. Received Neighborhood Request for Additional Street Lights in the Third District at the following locations:

2400-2500 Bellevue Dr.	$ 5,100.00
1400-1600 W. State Blvd.	$ 5,300.00
1900 Oakland Street	$ 1,300.00

(CEDIT NEIGHBORHOOD)

Ann Smith, Associate Director, Division of Public Works, stated that property owners petitioned for these lights and Cedit Neighborhood funding is available.
Jim Owen moved approval of Neighborhood Request for Additional Street Lights in the Third District at the above locations. Motion carried. Lights to be installed.

23. Approval of Board Certification of Project for Resolution 6358-95, Tower Heights Addition Concrete Repairs. This certifies that the work performed on this project has been completed.
Jim Owen moved approval of Board Certification of Project for Resolution 6358-95. Motion carried. Board Certification Letter to be sent to Key Concrete, Inc.

24. Supplemental Agreement No. 1 between the City and Beam, Longest & Neff, Inc. for Jefferson Blvd./Maumee Ave. and Washington Blvd. Resurfacing Project. Additional services were necessary to increase safety and extend limits of resurfacing to logical termini point. Compensation is on a lump sum fee basis, the total of which is $8,180.00. City Engineering recommends approval of Supplemental Agreement #1;

David Ross, City Engineer, stated that Traffic Engineering requested that adverse street crown be removed on the curve blending Jefferson into Maumee around the Comparet Street intersection and also to extend the project to include Washington where it intersects Memorial Park.

Terrance McCaffrey moved to approve Supplemental Agreement No. 1 between the City and Beam, Longest & Neff, Inc. for Jefferson Blvd./Maumee Ave. and Washington Blvd. Resurfacing Project. Motion carried. Copy on file in vault.

25. **SEWER EASEMENT RESOLUTION 213-1995** for the Condemnation of Permanent Easement for St. Joe Center Road Relief Sewer in the Parker Homestead Addition described as part of Lot #1;

Pat Callahan of WPC Engineering summarized the process for Condemnation For Eminent Domain Procedures.

Pat then stated that the St. Joe Center Road Relief Sewer is the project to relieve the sewer overloading in the Canterbury Green area. The date to receive bids on this project is July 5, 1995.

The staff has been negotiating with property owners for seven easements: two were signed, one is working with I & M, four are requesting compensation in excess of what the staff is recommending to be fair. The staff will continue to negotiate in good faith. If the staff reaches agreement with the four, the recommendation would be to rescind the original resolution.

In general, the intended use of the easements will not change the current use of the land.

Utility Administration has determined that Barrett Law type financing will be available with Utility Funds on this project. A resolution will be forthcoming to determine financing.

On the four parcels on which condemnation will be necessary, the new sewer will give access for three property owners and on the fourth there could be basement flooding.

Tom Pallone of WPC Engineering displayed a map showing the concerned property under Sewer Easement Resolution #213-95.

This property is owned by H. S. Lidell Jr. who is trying to sell the property. He is requesting that the City install a new water meter that has nothing to do with this project. The estimated cost is $50,000.
Jim Owen moved approval of Sewer Easement Resolution 213-95. Motion carried. Copy herein incorporated.

26. **SEWER EASEMENT RESOLUTION 214-1995** for the Condemnation of Permanent Easement for St. Joe Center Road Relief Sewer in the Parker Homestead Addition described as parts of Lots #1 and #2;

Tom Pallone of WPC Engineering displayed a map of concerned properties on Sewer Easement Resolution 214-95.

The first property displayed on the map was owned by 6 different businesses. These six businesses are asking for traffic control conditions which the staff does not think is out of line.
Jim Owen moved approval of Sewer Easement Resolution 214-1995. Motion carried. Copy herein incorporated.

27. **SEWER EASEMENT RESOLUTION 215-1995** for the condemnation of Permanent Easement for St. Joe Center Road Relief Sewer along and across a portion of the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East.

Tom Pallone of WPC Engineering displayed a map showing the property owned Cathie Lynn Rowand who was in attendance and spoke on her behalf.

She stated that she has a septic system and doesn't feel like she should have to pay $5,000 to hook up to City sewers. She requested a sewer hookup at no cost to her which would be the property share of the local main construction, the area connection fee and the tap permit. Also she requested the City remove the asphalt from the street and to re-landscape that area, and soften the view of a 14' X 9' proposed structure to be placed in front of her house.

Pat Callahan of WPC Engineering stated that there is a paved road that deadends into a bridge abutment (the bridge is no longer there). There is a difference of opinion of the status of the road right-of-way.

The estimated cost and 1/2 of the landscaping would be $5,469.00. The other 1/2 of the landscaping would for another property owner.

Pat Callahan stated that two other property owners have signed off with no compensation. Pat stated that he feels if these above two property owners are compensated then the others should be compensated.

Pat Callahan stated that no decision had to be made at the present time and that a hearing could be held to decide fair compensation.
Jim Owen moved approval of Sewer Easement Resolution 215-1995. Motion carried. Copy herein incorporated. The Board of Public Works Members are to visit the location as described in this resolution.

28. **SEWER EASEMENT RESOLUTION 216-1995** for the Condemnation of Permanent Easement for St. Joe Center Road Relief Sewer along and across a portion of the Richardville Reserve on the right bank of the St. Joseph River, in Township 31 North, Range 13 East;

Pat Callahan stated this is essentially the same situation as listed under agenda item #27. The sole property owner is requesting a sewer connection.
Jim Owen moved approval of Sewer Easement Resolution 216-1995. Motion carried. Copy herein incorporated.

29. Discussion of extending sewer service to Bethlehem Suburban Church, northeast corner of Flaugh and California Road allowing a private force main in private easements;

Pat Callahan of WPC Engineering stated Bethlehem Suburban Church is more than one half mile beyond any existing City sewer and the sewer in that area cannot be extended without installing a lift station. Bethlehem Suburban Church is proposing to install their own lift station and private force main and pump sewage from the church and school to the main.

Linda Buskirk stated that she would like a clause included waiving the remonstrance for annexation included in such agreement.

30. Approval of City Utilities Budget Adjustments for various Departments;

Deb Farrell of Utility Administration stated that the City Utilities Budget does not need Council approval whereas the Civil City budget does. The Utilities are attempting to do a quarterly review on budget adjustments. This information was presented to the Board to keep the Board abreast on what the Utilities are doing.
Linda Buskirk moved approval of City Utilities Budget Adjustments for various departments. Motion carried. Linda Buskirk then moved to withdraw the motion. Motion carried. City Utilities Budget Adjustments to be taken under advisement.

31. Revolving Barrett Law claims approval in the amount of $62,423.99;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $62,423.99. Motion carried. Claims to be forwarded to Barrett Law Office for handling.

32. Claims approval in the amount of $2,266,959.31 for the week of May 31, 1995;
Jim Owen moved approval of claims in the amount of $1,740,843.15 for the week of May 31, 1995. Motion carried. Claims to be forwarded to General Accounting for their handling.

33. Claims approval in the amount of $1,740,843.15 for the week of June 7, 1995;
Jim Owen moved approval of claims in the amount of $1,740,843.15 for the week of June 7, 1995. Motion carried. Claims to be forwarded to General Accounting for their handling.

34. Taxi Cab Applicant Philip R. Heiselmann (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of Taxi Cab Applicant Philip R. Heiselmann. Motion carried. License to be issued.

35. Taxi Cab License Applicant Peter P. Marshall (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of Taxi Cab License Applicant Peter P. Marshall. Motion carried. License to be issued.

36. Taxi Cab License Applicant Lowell R. McDaniel (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance.
Jim Owen moved approval of Taxi Cab License Applicant Lowell R. McDaniel. Motion carried. License to be issued.

37. Old Business:

None.

38. New Business:

None.

Jim Owen moved to adjourn the June 7, 1995 meeting. Motion carried.

Meeting adjourned at 11:00 a.m.

Linda Buskirk

Linda Buskirk, Director

C. James Owen, Member

Terrance P. McCaffrey

Terrance P. McCaffrey, Member

ATTEST

Patricia J. Crick, Clerk

Department of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Director
C. James Owen, Member
Terrance P. McCaffrey, Member

Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; R. David Boyer, Associate City Attorney; Deb Farrell, Utility Administration; Tom Jones & Jeff Grogg, Street Engineering; Tim Warren, Water Resources; Steve Martin, City Utilities Accounting; Carl Wilson, Charles Bailey & Andre Barnes, Contract Compliance; Mary Jane Slaton, Public Information Office; Pat Callahan & Tom Pallone, WPC Engineering; Ron Buskirk, Police Department.

1. RECEIVE BIDS: Resolution 6375-95, Sub-Area Commercial Capital Improvement Project 94D (CDBG);

Dehner Const.	53,427.00
Mergy Const.	35,829.50
Widner Paving	43,606.32
Eng. Est.	$37,798.95

Street Engineering to tabulate and report.

2. RECEIVE BIDS: Resolution 6377-95, Southwood Park Curbing Phase VII (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

Dehner Const.	114,020.00
Key Concrete	93,788.00
Mergy Const.	99,920.00
Moellering Const.	99,999.00
Widner Paving	106,818.50
Eng. Est.	$106,915.00

Street Engineering to tabulate and report.

AWARD: Improvement Resolution 6372-95, Parkview Addition Spot Concrete Pavement Repair to Newell Construction Co., Inc. in the amount of $38,619.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Improvement Resolution 6372-95 to Newell Construction Co., Inc. in the amount of $38,619.00. Motion carried. Notice of Award to be sent.

4. AWARD: Improvement Resolution 6383-95, Wildwood Avenue Improvements: Hoagland Avenue to Webster Street to Newell Construction Co., Inc. In the amount of $16,840.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Award for Improvement Resolution 6383-95 to Newell Construction Co., Inc. in the amount of $16,840.00. Motion carried. Notice of Award to be sent.

5. AWARD: Improvement Resolution 6387-95, Miscellaneous Construction Package 2/95 to Newell Construction Co., Inc. in the amount of $22,871.00 (CEDIT NEIGHBORHOOD/BARRETT LAW);
Jim Owen moved approval of Award for Improvement Resolution 6387-95 to Newell Construction Co., Inc. in the amount of $22,871.00. Motion carried. Notice of Award to be sent.

6. AWARD: Improvement Resolution 6388-95, Leesburg Road: Bass Road to Hillegas Road to Brooks Construction Co., Inc. In the amount of $272,557.25. City Engineering's recommendation is to award the base bid only without any of the Alternates (CEDIT) PRIOR APPROVAL REQUESTED;
Jim Owen moved approval of Award for Improvement Resolution #6388-95 to Brooks Construction Co., Inc. in the amount of $272,557.25 and Prior Approval request. Motion carried. Notice of Award to be sent to Brooks Construction Co., Inc. and Prior Approval Letter to be sent to Common Council.

7. Change Order #1 received from Key Concrete, Inc. for Improvement Resolution 6363-95, Cottage Avenue: South Wayne to Indiana increasing the contract price by $997.80. Original contract price was $14,999.00;

Tom Jones of Street Engineering stated that this change order is necessary because the removal of one tree and additional sidewalk is required.
Jim Owen moved approval of Change Order #1 received from Key Concrete, Inc. for Resolution #6363-95 increasing the contract price by $997.00. Motion carried. Copy on file.

8. **IMPROVEMENT RESOLUTION 6358-94 (AMENDED),** Tower Heights Addition Concrete Repairs (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);

   Tom Jones of Street Engineering stated this amended resolution is necessary to reflect different funding than listed on the original resolution.
   Jim Owen moved approval of Improvement Resolution 6358-94. Motion carried. Copy herein incorporated.

9. **IMPROVEMENT RESOLUTION 6392-95,** Kentucky Avenue: Nevada Avenue to Delaware Avenue for reconstruction of sidewalks, drive approaches, alley approaches, yardwalks and curb ramps (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
   Jim Owen moved approval of Improvement Resolution 6392-95. Motion carried. Copy herein incorporated.

10. **RESOLUTION** for Water Pollution Control Utility to provide sanitary sewer service to all of the unsewered homes along the route of the St. Joe Center Road Relief Sewer. This resolution provides similar financing procedures as the current Barrett Law conditions allow for extended financing;

    Tom Palone of WPC Engineering stated that this resolution authorizes the procedure for financing through the Utilities to the nine property owners along the route of the St. Joe Center Road Relief Sewer.
    Jim Owen moved approval of the Resolution for Water Pollution Control Utility to provide sanitary sewer service to all of the unsewered homes along the route of the St. Joe Center Road Relief Sewer. Motion carried. Copy herein incorporated.

11. Contract 6376-95 between the City of Fort Wayne and Moellering Construction Co., Inc. for Fairfield Avenue Improvements: Jefferson to Superior in the amount of [illegible];
    Terrance McCaffrey moved approval of Contract 6376-95 between the City of Fort Wayne and Moellering Construction Company, Inc. in the amount of $386,662.80. Motion carried. Contract 6376-95 to be forwarded to Common Council.

12. Contract 6380-95 between the City of Fort Wayne and Widner Paving, Inc. for CBD Curb Ramps, Phase II in the amount of $90,133.87 (CEDIT NEIGHBORHOOD);
    Jim Owen moved approval of Contract 6280-95 between the City of Fort Wayne and Widner Paving, Inc. in the amount of $90,133.87. Motion carried. Notice to Proceed to be sent.

13. Water Contract 9510 between the Fort Wayne Water Utility and North Eastern Construction Co., Inc. To construct water main systems to serve Still Water Place Section VII (PRIVATELY FUNDED);
    Jim Owen moved approval of Water Contract 9510 between the Fort Wayne Water Utility and North Eastern Construction Co., Inc. Motion carried. Copy on file.

14. Encroachment License Agreement between the City and The Salvation Army for a platform for access to compactor in the existing alley extending from Fairfield Avenue to Ewing Street on the south side of the existing Salvation Army Building. Recommendation from majority of the Departments is not to approve;

    Tom Jones of Street Engineering stated that the Engineering Staff recommended denial of the above Encroachment License Agreement since the proposed platform would prevent access to the alley extending Fairfield Avenue to Ewing Street.
    Jim Owen moved to adopt recommendation to deny Encroachment License Agreement between the City and The Salvation Army. Motion carried. Departments to make other suggestions to The Salvation Army regarding their request.

15. Approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6331-94, State Blvd.: Parnell Avenue to Santa Rosa, Randallia Drive: Lake Avenue to State Blvd. Escrow Agent is Home Loan Bank;
    Jim Owen moved approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6331-94. Motion carried. Copy to be forwarded to Escrow Agent.

16. Approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6346-94, Clinton Street, Coldwater Road Resurfacing. Escrow Agent is [illegible]

Jim Owen moved approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6346-94. Motion carried. Copy to be forwarded to Escrow Agent.

17. Approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6365-95, Rudisill Blvd., Smith Street to Anthony Blvd. Escrow Agent is Home Loan Bank;
Jim Owen moved approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6365-95. Motion carried. Copy to be forwarded to Escrow Agent.

18. Approval of Escrow Agreement received from Wayne Asphalt Construction Co., Inc. for Resolution 6369-95, Lower Huntington Road, Bluffton Road to Baer Field Thruway. Escrow Agent is Home Loan Bank;
Jim Owen moved approval of Escrow Agreement received from Wayne Asphalt Co., Inc. For Resolution 6369-95. Motion carried. Copy to be forwarded to Escrow Agent.

19. Received recommendation from Water Engineering to accept Water Contract 9502, Stonefield Section I - Phase III project as an integral part of the City's water main system;
Jim Owen moved to accept Water Contract 9502 as an integral part of the City's water main system. Motion carried. Copy on file.

20. Approval of a Release and Settlement Agreement in the amount of $8,616.20 between the City of Fort Wayne and the companies which have incurred costs associated with the environmental clean-up of Wayne Reclamation and Recycling, Inc. Associate City Attorney David Boyer recommends approval;

    R. David Boyer, Associate City Attorney, stated that the City deposited 4,500 gallons of water, oil and sludge with Wayne Reclamation and Recycling, Inc. for recycling. This company turned out to be a polluter and a major clean-up was ordered by the EPA. The responsible parties have the authority to proceed with a clean-up agreement and then charge all parties who have polluted.
    Jim Owen moved approval of the Release and Settlement Agreement in the amount of $8,616.20 between the City of Fort Wayne and the companies which have incurred costs associated with the environmental clean-up of Wayne Reclamation and Recycling, Inc. Motion carried. Copy on file in vault.

21. Received request for Waiver of Barricade Fees from Norwest Bank for a ribbon-cutting ceremony for the new Norwest Indiana Center to be held on Monday, June 12, 1995 from 10 a.m. until 11:30 a.m. Request was received June 9, 1995;
Jim Owen moved approval of request for Wavier of Barricade Fees from Norwest Bank for a ribbon-cutting ceremony for the Northwest Indiana Center held on Monday, June 12, 1995. Motion carried. Fees to be waived.

22. Received request for Waiver of Barricade Fees from Three Rivers Festival for the following events:

    Historylane to be held on Saturday, July 8, 1995 and Sunday, July 9, 1995 from 11 a.m. to 7 p.m. on Barr Street from Berry Street, south to Wayne Street;

    Bed Race to be held on Thursday, July 13, 1995 at 6:30 p.m. at Main Street from Court to Harrison Streets:

    Raft Race to be held on Sunday, July 9, 1995 at noon at Johnny Appleseed Park:

    TV Coverage for the Opening Day Parade with barricades scheduled for Friday, July 7, 1995 at 6 a.m. through Saturday, July 8, 1995 at 2 p.m. located at Main and Calhoun Streets from Harmony Court to the main intersection of Calhoun Street;
    Jim Owen moved approval of the request for Waiver of Barricade Fees from Three Rivers Festival for the above events. Motion carried. Fees to be waived.

23. Claims approval in the amount of $1,387,492.15;
Jim Owen moved approval of claims in the amount of $1,387,492.15. Motion carried. Claims forwarded to General Accounting.

24. Taxi Cab License Applicant Terrie L. Coons (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance;
Jim Owen moved approval of Taxi Cab License Applicant Terrie L. Coons. Motion carried. License to be issued.

25. Taxi Cab License Applicant Tige A. Harrell (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance);

Jim Owen moved approval of Taxi Cab License Applicant Tige A. Harrell. Motion carried. License to be issued.

26. Taxi Cab License Renewal John P. Stonestreet (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of Taxi Cab License Renewal John P. Stonestreet. Motion carried. License to be renewed.

27. Taxi Cab License Renewal Darlene A. McKinley (Records check indicates applicant is in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of recommendation of Assistant Police Chief Dan Hannaford to deny Taxi Cab License Renewal for Darlene A. McKinley. Motion carried. Letter of Intent to Deny to be sent.

28. Taxi Cab License Applicant Rodney B. Tate (Records check indicates applicant is in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of recommendation of Assistant Police Chief Dan Hannaford to deny Taxi Cab License Applicant Rodney B. Tate. Motion carried. Letter of Intent to Deny to be sent.

29. Old Business:

A discussion was held on Board approval of City Utilities Budget Adjustments for various Departments and the possibility of quarterly updates.

Linda Buskirk is to get input from the Mayor.

30. New Business:

A discussion was held on the routing of Escrow Agreements.

Jim Owen moved to adjourn the June 14, 1995 meeting. Motion carried.

Meeting adjourned at 10:00 a.m.

Linda Buskirk
Linda Buskirk, Chairman

Jim Owen
T. James Owen, Member

Terrance P. McCaffrey
Terrance P. McCaffrey, Member

ATTEST: [illegible]
[illegible] Crick, Clerk

June 21, 1995

Board of Public Works
WPC Maintenance Facility
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia Crick, Ann Smith & Carolyn Newport, BOW; Mary Jane Slaton, Public Information Office; Charles Bailey, Carl Wilson & Andre Barnes, Contract Compliance; David Ross, City Engineer; Tom Manny, Traffic Engineer; Tom Jones, Street Engineer; Terry Atherton, Utility Administration; Tim Warren, Water Resources, Pat Callahan & Tom Pallone, WPC Engineering Mike Thornson, Tom Gountras & Darren Good, Stormwater Engineering; Jim Hoch, Architect. Terrance P. McCaffrey, absent.

1. AWARD: Improvement Resolution 6375-95, Sub-Area Commercial Capital Improvements Project - 94D, Curbface Sidewalk Reconstruction, 900 Block of Broadway and 600 Block of Wayne Street to Mergy Construction Co., Inc. in the amount of $35,829.50 (CDBG);
Jim Owen moved approval of Award for Improvement Resolution 6375-95 to Mergy Construction Co., Inc., in the amount of $35,829.50. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

2. AWARD: Improvement Resolution 6377-95, Southwood Park Curbing Phase VII to Key Concrete, Inc. in the amount of $93,788.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Owen moved approval of Award for Improvement Resolution 6377-95 to Key Concrete, Inc. in the amount of $93,788.00. Motion carried. Notice of Award to be sent. Street Engineering to prepare contracts.

3. Approval of Board Minutes of June 7, 1995;
Jim Owen moved approval of Board Minutes of June 7, 1995. Motion carried. Minutes approved as printed and distributed.

4. Approval of Board Minutes of June 14, 1995;
Jim Owen moved approval of Board Minutes of June 14, 1995. Motion carried. Minutes approved as printed and distributed.

5. Approval of Escrow Agreement received from Robbco, Inc. for Water Contract 95-01, Restoration of Water Maintenance Utility Cuts Escrow Agent is Ossian State Bank. Water Engineering and Board of Public Works office recommend approval of this agreement;
Jim Owen moved approval of Escrow Agreement received from Robbco, Inc. for Water Contract 95-01. Motion carried. Escrow Agreement to be sent to Escrow Agent.

6. Approval of **STREET LIGHT RESOLUTION 241-95** for Centerhurst Street Light Improvement (1995 CEDIT/REVOLVING BARRETT LAW);
Jim Owen moved approval of Street Light Resolution 241-95. Motion carried. Copy herein incorporated.

7. Approval of Encroachment License Agreement between the City of Fort Wayne and Scott Bowles for a lawn irrigation system to encroach into the right-of-way of Bluffside Avenue and Stony Brook Drive in Brookside Park. Various Departments have recommended approval;
Jim Owen moved approval of Encroachment License Agreement between the City of Fort Wayne and Scott Bowles for a lawn irrigation system to encroach into right-of-way of Bluffside Avenue and Stoney Brook Drive in Brookside Park. Motion carried. Encroachment License Agreement to be forwarded to the Recorder's Office.

8. Approval of Contract 6381-95 between G. E. Minear Construction Co., Inc. and the City of Fort Wayne for Sub-Area Commercial Capital Improvements Project B-94 in the amount of $33,638.00 (CDBG);
Jim Owen moved approval of Contract 6381-95 between G. E. Minear Construction Co., Inc. and the City of Fort Wayne in the amount of $33,638.00. Motion carried. Notice to Proceed to be sent.

9. Approval of Contract 6382-95 between Dehner Construction Co., Inc. and the City of Fort Wayne for Crown Colony Concrete Pavement Repair - Phase II in the amount of $32,442.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6382-95 between Dehner Construction Co., and the City of Fort Wayne in the amount of $32,442.00. Motion carried. Notice to Proceed to be sent.

10. Approval of Contract 6384-95 between G. E. Minear Construction Co., Inc. and the City of Fort Wayne for Edsall Avenue/Schele Avenue Improvements in the amount of $14,849.34 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6384-95 between G. E. Minear Construction Co., Inc. and the City of Fort Wayne in the amount of $14,849.34. Motion carried. Notice to Proceed to be sent.

11. Approval of Water Contract 9504 between Zohrab K. Tazian and the Fort Wayne Water Utility to construct water main systems to serve Woodland Lakes, Section IX (PRIVATELY FUNDED);
Jim Owen moved approval of Water Contract 9504 between Zohrab K. Tazian and the Fort Wayne Water Utility. Motion carried. Copy on file.

12. Approval of Sewer Contract 95-S-8 between Tazian - Woodland Partnership and the Fort Wayne Water Pollution Control Utility to construct a sanitary sewer system to serve Woodland Lake Section IX Sanitary Extension. This area is designated GREEN. (PRIVATELY FUNDED);

Jim Owen moved approval of Sewer Contract 95-S-8 between Tazian -Woodland Partnership and the Fort Wayne Pollution Control Utility. Motion carried. Copy on file.

13. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Resolution 6378-95, Lafayette Street Retaining Wa Repair increasing the contract price by $4,387.50. Original contract price was $70,511.50. Street Engineering and City Engineer recommend approval;

Tom Jones of Street Engineering stated that Change Order #1 is necessary because of the following:

(I) Additional lighting needed.
(II) Modification of walks to comply with ADA requirements.
(III) Replacement of drainage structure.

Jim Owen moved approval of Change Order #1 received from Brooks Construction Co., Inc. For Resolution 6378-95 increasing the contract price by $4,387.50. Motion carried. Change Order approved.

14. Recommendation received from Water Engineering and Fire Chief Steve Hinton to place an additional fire hydrant in the 1200 block of Park Avenue between Thompson Avenue and Broadway. Funding source for the installation of this fire hydrant will be Fort Wayne Water Utility. Civil City will pay to the Fort Wayne Water Utility the annual rate for Fire Hydrant Rental as is customary with other hydrants;

Tim Warren of Water Resources stated the above mentioned fire hydrant is necessary because of excessive fire hydrant spacing along Park Avenue.
Jim Owen moved approval of recommendation received from Water Engineering and Fire Chief Steve Hinton to place a fire hydrant in the 1200 block of Park Avenue between Thompson Avenue and Broadway. Motion carried. Fire hydrant to be installed.

15. Approval of Special Street Permit granting permission to the Fort Wayne Redevelopment Commission to construct Centennial Drive in Centennial Industrial Park. City Engineering recommends approval;
Special Street Permit held.

16. Approval of Revolving Barrett Law claims in the amount of $27,173.39;
Jim Owen moved approval of Revolving Barrett Law claims in the amount of $27,173.39. Motion carried. Claims forwar to Barrett Law Office for handling.

17. Taxi Cab License Applicant Shannon M. Billheimer (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of Taxi Cab License Applicant Shannon M. Billheimer. Motion carried. Motion carried. License to be issued.

18. Taxi Cab License Renewal Daniel D. Wind (Records check indicates applicant is not in violation of the City Taxi Cab Ordinance);
Jim Owen moved approval of Taxi Cab License Renewal Daniel D. Wind. Motion carried. License to be renewed.

19. Taxi Cab Hearing requested by Darlene A. McKinley (She was denied on June 14, 1995);

Linda Buskirk stated that the application for Taxi Applicant Darlene A. McKinley was denied due to a battery charge which was in violation of the City Taxi Ordinance.

Darlene McKinley stated the incident happened in 1992 and she has been issued a license since them. Also she stated that the incident was between two adults and she since attended the Center of Non-Violence.

Jim Owen recommended that the Board receive testimony on Darlene McKinley's behalf by her employer and that it be in a closed session.
Linda Buskirk moved to continue the hearing for Darlene McKinley until next week at such time she is to provide a staten by her employer on her behalf. Motion carried. Ms. McKinley to be notified if it is to be a closed session.

20. Old Business:

Jim Hoch, Architect for The Salvation Army, gave the Board an update on the request for an Encroachment License Agreement for a platform for access to compactor in the existing alley extending from Fairfield Avenue to Ewing Street on the south side of the existing Salvation Army Building. This was denied at the last Board of Public Works Meeting. He stated that since that time he has been working with various departments to place compactor to allow access around alley and would continue to do so until all requirem with designated departments are met.

21. New Business:

Pat Callahan of WPC Engineering requested a Board of Works executive session in the future to negotiate strategy with GM Contract. He stated this issue will take around an hour and Linda Powell, Associate City Attorney will be present. An executive session is to be scheduled.
Jim Owen moved to adjourn the June 21, 1995 meeting.

Meeting adjourned at 9:35 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey, Member

Attest: Patricia J. Crick
Patricia J. Crick, Clerk

June 21, 1995

Stormwater Management Board
WPC Maintenance Facility
Meeting held at 9:35 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick, Clerk

PRESENT: Linda Buskirk, C. James Owen, Patricia J. Crick, Carolyn Newport & Ann Smith, BOW; Mary Jane Slaton, Public Information Office; Charles Bailey, Carl Wilson & Andre Barnes, Contract Compliance; David Ross, City Engineer, Terry Atherton, Utility Administration; Tim Warren, Water Resources; Pat Callahan & Tom Pallone, WPC Engineering; Mike Thornson, Tom Gountras & Darren Good Stormwater Engineering. Terrance P. McCaffrey, absent.

1. Approval of Board Minutes of May 31, 1995;
   Jim Owen moved approval of Board Minutes of May 31, 1995. Motion carried. Minutes approved as printed and distributed.

2. Approval of **Resolution 530-95**, Allendale Place Storm Drainage Improvement Phase II (STORMWATER UTILITY);

   Darren Good, Project Engineer, described the scope of this project.
   Jim Owen moved approval of Resolution 530-95. Motion carried. Copy herein incorporated.

3. Approval of **Resolution 532-95**, Concordia Gardens Storm Drainage Improvement Phase I (STORMWATER UTILITY);

   Tom Gountras, Project Engineer, described the scope of this project.
   Jim Owen moved approval of 532-95. Motion carried. Copy herein incorporated.

4. Approval of **Resolution #533-95**, Reckeweg Road/Palatine Drive Drainage Improvement (STORMWATER UTILITY);

   Tom Gountras, Project Engineer, described the scope of this project.
   Jim Owen moved approval of Resolution 533-95. Motion carried. Copy herein incorporated.

5. Old Business:

   None.

6. New Business:

   None.

Jim Owen moved to adjourn the June 21, 1995 Stormwater Management Meeting. Motion carried.

Meeting adjourned at 9:55 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

June 28, 1995

Board of Public Works
WPC Maintenance Building
Meeting held at 9:00 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Ann Smith & Carolyn Newport, BOW; R. David Boyer, Assoc. City Attorney; Tim Warren, Water Resources; Dough Pooler, Filtration Plant, Mike Thomson, Stormwater Engineering; Jim Lindsay & Wayne O'Brien, C&ED; Jim Riemke, Street Lighting; Carl Wilson, Charles Bailey, Andre Barnes & Marisol Martinez, Contract Compliance; Jeff Grogg & Tom Jones, Street Engineering; Mary Jane Slaton, Public Information Office; Darlene A. McKinley & Yared H. Eshetu, Taxi Applicants.

1. **RECEIVED BIDS:** Improvement Resolution 6389-95, Removal of Underground Storage Tanks and Soil-Bio Remediation (1994 PUBLIC SAFETY BOND);

	Total Bid Part 1	Total Bid Part 2
Central Environmental Contractors, Inc.	$ 72,327.00	579,707.00
Crosby Excavating, Inc.	82,448.75	---
Ecology Services, Inc.	92, 419.13	184,261.55
Environmental Remediation Services, Inc.	93,509.50	80,980.00
Specialty Conveyance Services, Inc.	71,426.50	---
T-G, Inc.	96,143.80	179,614.00
Eng. Est.	$110,000.00	$175,000.00

A.J. Dodzik, Consultant, to tabulate and report.

2. Approval of Board Minutes of June 21, 1995;
Jim Owen moved approval of Board Minutes of June 21, 1995. Motion carried. Board Minutes approved and printed and distributed.

3. Approval of Public Hearing Minutes of June 21, 1995 for Resolution 6379-95, E. State Blvd. Sidewalk Improvement : Kentucky Avenue to Florida Drive:
Jim Owen moved approval of Public Hearing Minutes of June 21, 1995 for Improvement Resolution 6379-95. Motion carried. Public Hearing Minutes approved as printed and distributed.

4. Approval of Change Order #1 received from Brooks Construction Co., Inc. for Resolution 6338-94, Washington Center Road: Goshen to Ridgebrook decreasing the contract price by $10,621.86. The original contract price was $292,295.00;
Jim Owen moved approval of Change Order #1 received from Brooks Construction Co., Inc. for Resolution 6338-94 decreasing the contract price by $10,621.86. Motion carried. Contract price to be decreased.

5. Approval of Change Order #1 and Final received from Bercot, Inc. for Resolution 517-94, Crestwood Colony decreasing the contract price by $4,600.20. The original contract price

was $54,244.00;
Jim Owen moved approval of Change Order #1 and Final received from Bercot, Inc. for Resolution 517-94, Crestwood Colony decreasing the contract price by $4,600.20. Motion carried. Contract price to be decreased.

6. Approval of Change Order #1 received from Mergy Construction Co., Inc. for Resolution 6565-95, Beaver Avenue: Cottage to Wildwood (Westside) requesting a change in the completion date of this project from June 1, 1995 to July 15, 1995;

   Jeff Grogg of Street Engineering stated that Mergy Construction Co., Inc. is requesting a change in the completion date of this project due to a delay caused by the weather. They are now working on the Fairfield Avenue project to insure completion before the Three Rivers Festival.
   Terrance McCaffrey moved approval of Change Order #1 received from Mergy Construction Co., Inc. for Resolution 6565-95 requesting a change in the completion date of this project from June 1, 1995 to July 15, 1995. Motion carried. Completion date for this project extended to July 15, 1995.

7. Approval of **STREET LIGHT RESOLUTION 242-95** for Coliseum South Street Light Improvement (1995 Urban Enterprise Association Funds);
   Jim Owen moved approval of Street Light Resolution 242-95. Motion carried. Copy herein incorporated.

8. Approval of **STREET LIGHT RESOLUTION 243-95** for Greenfield Extended Street Light Improvement (CEDIT/REVOLVING BARRETT LAW);
   Jim Owen moved approval of Street Light Resolution 243-95. Motion carried. Copy herein incorporated.

9. Approval of **EMERGENCY RESOLUTION** to repair pavement blow-ups at the following locations:

   4825 Coldwater Road
   5811 Coldwater Road
   6500 N. Clinton Street
   6019 Illinois Road

   Invitational bids were received for said repair and Tomco Construction Co., Inc. was the lowest bidder. Therefore, the Board of Public Works requested the Purchasing Department to issue a purchase order to Tomco Construction Co., Inc. in the amount of $12,782.20;
   Jim Owen moved approval of Emergency Resolution to repair pavement blow-ups at the above locations. Motion carried. Purchasing Department to issue a purchase order to Tomco Construction Co., Inc. in the amount of $12,782.20. Bids were also received from Brooks Construction, Mergy Construction, Newell Construction, Key Concrete, Dehner Construction, G.E. Minear, Moellering Construction, Widner Paving and Pioneer Associates.

10. Approval of **RESOLUTION** for vacation of a 10' wide x 150' long alley that starts at Jackson Street and extends 150 feet east. Alley is between Lot #5 and Lot #6 in the Chipman's Addition, requested by General Electric Co., Specialty Transformer. This has been routed thru City departments and Public Utility Companies for review and they approved;
    Jim Owen moved approval of Resolution for vacation of a 10' wide x 150' long alley that starts at Jackson Street and extends 150 feet east. Motion carried. Alley to be vacated.

11. Approval of Encroachment License Agreement between the City of Fort Wayne and Pfister Sprinkler System Inc. to place an underground irrigation system at 5229 Wyndemere Court. All departments recommend approval;
    Jim Owen moved approval of Encroachment License Agreement between the City of Fort Wayne and Pfister Sprinkler System Inc. Motion carried. Underground irrigation system to be installed at 5229 Wyndemere Court. Encroachment License Agreement to be forwarded to the Allen County Recorder's Office.

12. Approval of Encroachment License Agreement between the City of Fort Wayne and Star Homes by Delagrange and Richharts, Inc. to place an underground irrigation system at Lot #49, 2525 Meadows Parkway in North Pointe Villas. All departments recommend approval;
Jim Owen moved approval of Encroachment License Agreement between the City of Fort Wayne and Star Homes by Delagrange. Motion carried. Underground irrigation system to be installed at Lot #49, 2525 Meadows Parkway in North Pointe Villas. Encroachment License Agreement to be forwarded to the Allen County Recorder's Office.

13. Approval of Contract 6372-95 between Newell Construction Co., Inc. and the City of Fort Wayne for Parkview Addition Spot Concrete Repair in the amount of $38,619.00 (CEDIT NEIGHBORHOOD);
Jim Owen moved approval of Contract 6372-95 between Newell Construction Co., Inc. and the City of Fort Wayne in the amount of $38,619.00. Motion carried. Notice to Proceed to be sent.

14. Approval of Contract 6383-95 between Newell Construction Co., Inc. and the City of Fort Wayne for Wildwood Avenue Improvements: Hoagland Avenue to Webster Street in the amount of $16,840.00 (CEDIT NEIGHBORHOOD);
Terrance McCaffrey moved approval of Contract 6383-95 between Newell Construction Co., Inc. and the City of Fort Wayne in the amount of $16,840.00. Motion carried. Notice to Proceed to be sent.

15. Approval of Contract 6387-95 between Newell Construction Co., Inc. and the City of Fort Wayne for Miscellaneous Construction Package 2/95 in the amount of $22,871.00 (CEDIT NEIGHBORHOOD/REVOLVING BARRETT LAW);
Jim Own moved approval of Contract 6387-95 between Newell Construction Co., Inc. and the City of Fort Wayne in the amount of $22,871.00. Motion carried. Notice to Proceed to be sent.

16. Received recommendation from WPC Engineering to accept the work performed on Resolution 527-94, St. Joseph River Erosion Control as an integral part of the City's sanitary sewer system;
Jim Owen moved approval of recommendation from WPC Engineering to accept the work performed on Resolution 527-94, St. Joseph River Erosion Control as an integral part of the City's sanitary sewer system. Motion carried. Acceptance letter to be sent.

17. Approval of Parking Lot Use Agreement from Michael Ducy, American City Society to use Freimann Square Parking Lot on September 23 and 24, 1995 for Making Strides for Cancer. Also they requested a waiver of the fees for a total of $56.00. All proceeds go to the American Cancer Society;
Jim Owen moved approval of Parking Lot Use Agreement from Michael Ducy, American City Society to use Freimann Square Parking Lot on September 23 and 24, 1995 for Making Strides for Cancer and waiver of fees. Motion carried. Fees to be waived.

18. Received recommendation from Water Engineering and Fire Chief Steve Hinton to install a fire hydrant on the northwest corner of Creighton Avenue and Wallace Street to provide fire protection for the Police Operations Center. Funding source will be the Fort Wayne Water Utility. Civil City will pay to the Fort Wayne Water Utility the annual rate for Fire Hydrant Rental as is customary with other hydrants;
Jim Owen moved approval of recommendation from Water Engineering and Fire Chief Steve Hinton to install a fire hydrant on the northwest corner of Creighton Avenue and Wallace Street. Motion carried. Fire hydrant to be installed.

19. Approval of Contract for Consulting Services between EMA and the City of Fort Wayne for High Service Pump Automation Start-Up for the Fort Wayne Three Rivers Water Filtration Plant at a cost not to exceed $98,350.00. Superintendent Doug Pooler recommends approval;

Doug Pooler, Superintendent of the Filtration Plant, stated that in 1994, EMA worked closely with Plant staff to help design and become trained for implementing an upgraded control system and new mechanical equipment. The Plant and staff are now ready for programming and implementing the high service pumping application programs. This contract allows EMA to assist in automation which enables the Plant to meet recently developed operating benchmarks.
Terrance McCaffrey moved approval of Contract for Consulting Services between EMA and the City of Fort Wayne for High Service Pump Automation Start-up for the Fort Wayne Three Rivers Water Filtration Plant at a cost not to exceed $98,350.00. Motion carried. Notice to proceed to be sent. Copy on file in vault.

20. Approval of Amendment No. 1 to Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Engineering Services related to the design of baffling for the finished water reservoir to the Three Rivers Water Filtration Plant. Total estimated compensation is $54,696.00. Superintendent Doug Pooler recommends approval;

    Doug Pooler, Superintendent of Filtration Plant, stated that the City entered into an Agreement with Malcolm Pirnie, Inc., on October 19, 1994. The basic serviced under the original agreement have been now completed. This amendment will allow Malcolm Pirnie to provide design services related to the proposed change of primary disinfectants from chlorine dioxide to free chlorine which will improve the quality of Fort Wayne water.
    Terrance McCaffrey moved approval of Amendment #1 to Agreement between the City of Fort Wayne and Malcolm Pirnie, Inc. for Engineering Services related to the design of baffling for the finished water reservoir to the Three Rivers Water Filtration Plant. Motion carried. Copy on file in vault.

21. Approval of Special Street Permit granting permission to the Fort Wayne Redevelopment Commission to construct Centennial Drive in Centennial Industrial Park. City Engineering recommends approval;
    Jim Owen moved approval of Special Street Permit granting permission to the Fort Wayne Redevelopment Commission to construct Centennial Drive in Centennial Industrial Park. Motion carried. Copy on file.

22. Acceptance of secondary subdivision plat for Harris Meadow, Section II. All conditions have been satisfied and capital improvements have been accepted by the Board of Works under the old Subdivision Control Ordinance;
    Jim Owen moved approval of acceptance of secondary plat for Harris Meadow, Section II. Motion carried. Plat to be forwarded to City Plan for their handling.

23. Approval of Revolving Barrett Law claims in the amount of $4,752.37;
    Jim Owen moved approval of Revolving Barrett Law claims in the amount of $4,752.37. Motion carried. Claims to be forwarded to Barrett Law for handling.

24. Approval of claims for the weeks of June 21 and June 28, 1995 in the amount of $17,201,294.40;

    Jim Owen moved approval of claims for the weeks of June 21 and June 28, 1995 in the amount of $17,201,294.40. Motion carried. Claims to be forwarded to General Accounting for their handling.

25. Taxi Cab License Applicant Yared H. Eshetu (Records check indicates a criminal history contrary to the City Taxi Cab Ordinance, however, Police Chief Neil Moore recommends approval based on the lack of any felony convictions and on a letter of reference from the applicant's employer);
    Linda Buskirk moved approval of Taxi Cab License Applicant Yared H. Eshetu. Motion carried. License to be issued.

26. Taxi Cab License Applicant Caroline A. DeWitt (Records check indicates no criminal history contrary to the City Taxi Cab Ordinance);
    Jim Owen moved approval of Taxi Cab License Applicant Caroline A. DeWitt. Motion carried. License to be issued.

27. Taxi Cab License Renewal Darlene A. McKinley (Tabled from last week requesting statement from her employer which is attached);
Jim Owen moved approval of Taxi Cab License Applicant Renewal Darlene A. McKinley. Motion carried. License to be renewed.

28. Taxi Cab License Applicant Robert Schlensker (Records check indicates no criminal history contrary to the City Taxi Cab Ordinance);
Linda Buskirk moved approval of Taxi Cab License Applicant Robert Schlensker. Motion carried. License to be issued.

29. Old Business:

Pat Callahan of WPC Engineering gave an update on a petition for sanitary sewers on Springfield Avenue. The property owners are now tied into a private sewer and petitioned for City sewers but did not want to give the City easements or right-of-way entry, therefore killing the project.

30. New Business:

Jim Owen requested that Barb Nussa, Solid Waste Manager, give the Board of Public Works an six month update on solid waste, recycling and yard waste.

Jim Owen moved to adjourn the June 28, 1995 meeting. Motion carried.

Meeting adjourned at 9:55 a.m.

Linda Buskirk
Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick
Patricia J. Crick, Clerk

June 28, 1995

Stormwater Management Board
WPC Maintenance Facility
Meeting held at 9:55 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick, Clerk

PRESENT: All Members, Clerk, Carolyn Newport & Ann Smith, BOW; R. David Boyer, Associate City Attorney; Tim Warren, Water Resources; Doug Pooler, Filtration Plant;Jim Lindsay & Wayne O'Brien, C&ED; Jim Riemke, Street Lighting; Mary Jane Slaton, Public Information Office; Charles Bailey, Carl Wilson , Andre Barnes & Marisol Martinez, Contract Compliance; Jeff Grogg & Tom Jones, Street Engineering; David Ross, City Engineer, Terry Atherton, Utility Administration; Tim Warren, Water Resources; Pat Callahan & Tom lon WPC Engineering; Mike Thornson, Stormwater Engineering.

1. Approval of Board Minutes of June 21, 1995;
   Jim Owen moved approval of Board Minutes of June 21, 1995. Motion carried. Minutes approved as printed and distributed.

2. Received recommendation from Stormwater Engineering to accept the work performed on Contract 93-ST-03, Village of Buckinghar Section II Storm Sewer project as an integral part of the City's storm sewer system;
   Jim Owen moved to accept the work performed on Contract 93-ST-03. Motion carried. Acceptance letter to be sent.

3. Old Business:

   Terrance McCaffrey inquired about the status of the Stormwater Utility Budget.

   Mike Thornson of Stormwater will give update to Terrance McCaffrey.

4. New Business:

   There was a discussion regarding the present Stormwater drainage problems since there was an excessive amount of rain.

   Jim Owen moved to adjourn the June 28, 1995 Stormwater Management Board Meeting. Motion carried.

Meeting adjourned at 10:05 a.m.

Linda Buskirk, Chairman

C. James Owen, Member

Terrance P. McCaffrey, Member

ATTEST:
Patricia J. Crick, Clerk

June 28, 1995

Department of Public Works
WPC Maintenance Building
Hearing held at 10:30 a.m.

Linda Buskirk, Chairman
C. James Owen, Member
Terrance P. McCaffrey, Member

ATTEST: Patricia J. Crick, Clerk

PRESENT: All Members & Clerk, Denny Root, Street Engineering; Betsy Meyer & Marge Enders, Barrett Law Office.

1. Confirm Resolution - Notice to Property Owners - Resolution #6391-95, Tecumseh Street from Tennessee Avenue to Delaware Avenue by asphalt milling existing pavement, resurfacing, reconstruction of concrete curbs, driveway approaches, alley approaches, curb ramps, rehabilitation of storm sewer structures and seeding restoration.

   Denny Root, Project Engineer, Street Engineering, stated that the City pays for the cost of asphalt milling existing pavement, resurfacing and wingwalks. The cost of installation of the curbs, driveways, sidewalks, yardwalks is 50% City, 50% property owners.

   There was a discussion regarding trees to be removed and replacement trees. Linda Buskirk stated that she would check into replacement trees.

   Roberta Planck, 1815 Tecumseh, wanted to go on record stating that she is against this project.
   Jim Owen moved to Confirm Resolution 6391-95. Motion carried. Remonstrance period up on July 10, 1995.

Hearing adjourned at 11:00 a.m.

Linda Buskirk
Linda Buskirk, Chairman

James Owen
C. James Owen, Member

Terrance P McCaffrey
Terrance P. McCaffrey, Member

ATTEST: Patricia J Crick
Patricia J. Crick, Clerk